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Treaty on the Non-Proliferation of Nuclear Weapons, 1968



INFCIRC/140
22 April 1970

International Atomic Energy Agency

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ENGLISH

INFORMATION CIRCULAR

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Notification of the entry into force

1. By letters addressed to the Director General on 5, 6 and 20 March 1970 respectively, the Governments of the United Kingdom of Great Britain and Northern Ireland, the United States of America and the Union of Soviet Socialist Republics, which are designated as the Depositary Governments in Article IX. 2 of the Treaty on the Non-Proliferation of Nuclear Weapons, informed the Agency that the Treaty had entered into force on 5 March 1970.
2. The text of the Treaty, taken from a certified true copy provided by one of the Depositary Governments, is reproduced below for the convenience of all Members.

TREATY

ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

1. Each Non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorised, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

ภาคผนวก ข

Agreement between Iran and the International Atomic Energy Agency for the
Application of Safeguards in Connection with the Treaty on the Non-Proliferation of
Nuclear Weapons



International Atomic Energy Agency

INFORMATION CIRCULAR

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THE TEXT OF THE AGREEMENT BETWEEN IRAN AND THE AGENCY FOR THE
APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE
NON-PROLIFERATION OF NUCLEAR WEAPONS

1. The text[1] of the agreement between Iran and the Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons[2] is reproduced in this document for the information of all Members.
2. The Agreement entered into force on 15 May 1974, pursuant to Article 25.

[1] The footnotes to the text have been added in the present information circular.
[2] Reproduced in document INFCIRC/140.

AGREEMENT BETWEEN
IRAN
AND THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE
APPLICATION OF SAFEGUARDS IN CONNECTION WITH
THE TREATY ON THE NON-PROLIFERATION OF
NUCLEAR WEAPONS

WHEREAS Iran is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as "the Treaty")[2] opened for signature at London, Moscow and Washington on 1 July 1968 and which entered into force on 5 March 1970:

WHEREAS paragraph 1 of Article III of the Treaty reads as follows:

"Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere".

WHEREAS the International Atomic Energy Agency (hereinafter referred to as "the Agency") is authorized, pursuant to Article III of its Statute, to conclude such agreements;

NOW THEREFORE the Government of Iran and the Agency have agreed as follows:

PART I

BASIC UNDERTAKING

Article 1

The Government of Iran undertakes, pursuant to paragraph 1 of Article III of the Treaty, to accept safeguards, in accordance with the terms of this Agreement, on all source or special fissionable material in all peaceful nuclear activities within its territory, under its jurisdiction or carried out under its control anywhere, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices.

APPLICATION OF SAFEGUARDS

Article 2

The Agency shall have the right and the obligation to ensure that safeguards will be applied, in accordance with the terms of this Agreement, on all source or special fissionable material in all peaceful nuclear activities within the territory of Iran, under its jurisdiction or carried out under its control anywhere, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices.

CO-OPERATION BETWEEN THE GOVERNMENT OF IRAN AND THE AGENCY

Article 3

The Government of Iran and the Agency shall co-operate to facilitate the implementation of the safeguards provided for in this Agreement.

IMPLEMENTATION OF SAFEGUARDS

Article 4

The safeguards provided for in this Agreement shall be implemented in a manner designed:

- (a) To avoid hampering the economic and technological development of Iran or international co-operation in the field of peaceful nuclear activities, including international exchange of nuclear material;
- (b) To avoid undue interference in Iran's peaceful nuclear activities, and in particular in the operation of facilities; and
- (c) To be consistent with prudent management practices required for the economic and safe conduct of nuclear activities.

Article 5

- (a) The Agency shall take every precaution to protect commercial and industrial secrets and other confidential information coming to its knowledge in the implementation of this Agreement.
- (b)
 - (i) The Agency shall not publish or communicate to any State, organization or person any information obtained by it in connection with the implementation of this Agreement, except that specific information relating to the implementation thereof may be given to the Board of Governors of the Agency (hereinafter referred to as "the Board") and to such Agency staff members as require such knowledge by reason of their official duties in connection with safeguards, but only to the extent necessary for the Agency to fulfil its responsibilities in implementing this Agreement.
 - (ii) Summarized information on nuclear material subject to safeguards under this Agreement may be published upon decision of the Board if the States directly concerned agree thereto.

Article 6

- (a) The Agency shall, in implementing safeguards pursuant to this Agreement, take full account of technological developments in the field of safeguards, and shall make every effort to ensure optimum cost-effectiveness and the application of the principle of safeguarding effectively the flow of nuclear material subject to safeguards under this Agreement by use of instruments and other techniques at certain strategic points to the extent that present or future technology permits.
- (b) In order to ensure optimum cost-effectiveness, use shall be made, for example, of such means as:
 - (i) Containment as a means of defining material balance areas for accounting purposes;

- (ii) Statistical techniques and random sampling in evaluating the flow of nuclear material, and
- (iii) Concentration of verification procedures on those stages in the nuclear fuel cycle involving the production, processing, use or storage of nuclear material from which nuclear weapons or other nuclear explosive devices could readily be made, and minimization of verification procedures in respect of other nuclear material, on condition that this does not hamper the Agency in applying safeguards under this Agreement.

NATIONAL SYSTEM OF MATERIALS CONTROL

Article 7

- (a) The Government of Iran shall establish and maintain a system of accounting for and control of all nuclear material subject to safeguards under this Agreement.
- (b) The Agency shall apply safeguards in such a manner as to enable it to verify, in ascertaining that there has been no diversion of nuclear material from peaceful uses to nuclear weapons or other nuclear explosive devices, findings of Iran's system. The Agency's verification shall include, inter alia, independent measurements and observations conducted by the Agency in accordance with the procedures specified in Part II of this Agreement. The Agency, in its verification, shall take due account of the technical effectiveness of Iran's system.

PROVISION OF INFORMATION TO THE AGENCY

Article 8

- (a) In order to ensure the effective implementation of safeguards under this Agreement, the Government of Iran shall, in accordance with the provisions set out in Part II of this Agreement, provide the Agency with information concerning nuclear material subject to safeguards under this Agreement and the features of facilities relevant to safeguarding such material.
- (b)
 - (i) The Agency shall require only the minimum amount of information and data consistent with carrying out its responsibilities under this Agreement.
 - (ii) Information pertaining to facilities shall be the minimum necessary for safe-guarding nuclear material subject to safeguards under this Agreement.
- (c) If the Government of Iran so requests, the Agency shall be prepared to examine on premises of Iran design information which the Government of Iran regards as being of particular sensitivity. Such information need not be physically transmitted to the Agency provided that it remains readily available for further examination by the Agency on premises of Iran.

AGENCY INSPECTORS

Article 9

- (a)
 - (i) The Agency shall secure the consent of the Government of Iran to the designation of Agency inspectors to Iran.
 - (ii) If the Government of Iran, either upon proposal of a designation or at any other time after a designation has been made, objects to the designation, the Agency shall propose to the Government of Iran an alternative designation or designations.

- (iii) If, as a result of the repeated refusal of the Government of Iran to accept the designation of Agency inspectors, inspections to be conducted under this Agreement would be impeded, such refusal shall be considered by the Board, upon referral by the Director General of the Agency (hereinafter referred to as "the Director General"), with a view to its taking appropriate action.
- (b) The Government of Iran shall take the necessary steps to ensure that Agency inspectors can effectively discharge their functions under this Agreement.
- (c) The visits and activities of Agency inspectors shall be so arranged as:
 - (i) To reduce to a minimum the possible inconvenience and disturbance to the Government of Iran and to the peaceful nuclear activities inspected; and
 - (ii) To ensure protection of industrial secrets or any other confidential information coming to the inspectors' knowledge.

PRIVILEGES AND IMMUNITIES

Article 10

The Government of Iran shall accord to the Agency (including its property, funds and assets) and to its inspectors and other officials, performing functions under this Agreement, the same privileges and immunities as those set forth in the relevant provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency[3].

TERMINATION OF SAFEGUARDS

Article 11

Consumption or dilution of nuclear material

Safeguards shall terminate on nuclear material upon determination by the Agency that the material has been consumed, or has been diluted in such a way that it is no longer usable for any nuclear activity relevant from the point of view of safeguards, or has become practically irrecoverable.

Article 12

Transfer of nuclear material out of Iran

The Government of Iran shall give the Agency advance notification of intended transfers of nuclear material subject to safeguards under this Agreement out of Iran, in accordance with the provisions set out in Part II of this Agreement. The Agency shall terminate safeguards on nuclear material under this Agreement when the recipient State has assumed responsibility therefor, as provided for in Part II of this Agreement. The Agency shall maintain records indicating each transfer and, where applicable, the re-application of safeguards to the transferred nuclear material.

Article 13

Provisions relating to nuclear material to be used in non-nuclear activities

Where nuclear material subject to safeguards under this Agreement is to be used in non-nuclear activities, such as the production of alloys or ceramics, the Government of Iran shall agree with the Agency, before the material is so used, on the circumstances under which the safeguards on such material may be terminated.

[3] INFCIRC/9/Rev. 2.

NON-APPLICATION OF SAFEGUARDS TO NUCLEAR MATERIAL TO BE
USED IN NON-PEACEFUL ACTIVITIES

Article 14

If the Government of Iran intends to exercise its discretion to use nuclear material which is required to be safeguarded under this Agreement in a nuclear activity which does not require the application of safeguards under this Agreement, the following procedures shall apply:

- (a) The Government of Iran shall inform the Agency of the activity, making it clear:
 - (i) That the use of the nuclear material in a non-proscribed military activity will not be in conflict with an undertaking the Government of Iran may have given and in respect of which Agency safeguards apply, that the material will be used only in a peaceful nuclear activity; and
 - (ii) That during the period of non-application of safeguards the nuclear material will not be used for the production of nuclear weapons or other nuclear explosive devices;
- (b) The Government of Iran and the Agency shall make an arrangement so that, only while the nuclear material is in such an activity, the safeguards provided for in this Agreement will not be applied. The arrangement shall identify, to the extent possible, the period or circumstances during which safeguards will not be applied. In any event, the safeguards provided for in this Agreement shall apply again as soon as the nuclear material is reintroduced into a peaceful nuclear activity. The Agency shall be kept informed of the total quantity and composition of such unsafeguarded material in Iran and of any export of such material; and
- (c) Each arrangement shall be made in agreement with the Agency. Such agreement shall be given as promptly as possible and shall relate only to such matters as, inter alia, temporal and procedural provisions and reporting arrangements, but shall not involve any approval or classified knowledge of the military activity or relate to the use of the nuclear material therein.

FINANCE

Article 15

The Government of Iran and the Agency will bear the expenses incurred by them in implementing their respective responsibilities under this Agreement. However, if the Government of Iran or persons under its jurisdiction incur extraordinary expenses as a result of a specific request by the Agency, the Agency shall reimburse such expenses provided that it has agreed in advance to do so. In any case the Agency shall bear the cost of any additional measuring or sampling which inspectors may request.

THIRD PARTY LIABILITY FOR NUCLEAR DAMAGE

Article 16

The Government of Iran shall ensure that any protection against third party liability in respect of nuclear damage, including any insurance or other financial security, which may be available under its laws or regulations shall apply to the Agency and its officials for the purpose of the implementation of this Agreement, in the same way as that protection applies to nationals of Iran.

INTERNATIONAL RESPONSIBILITY

Article 17

Any claim by the Government of Iran against the Agency or by the Agency against the Government of Iran in respect of any damage resulting from the implementation of safeguards under this Agreement, other than damage arising out of a nuclear incident, shall be settled in accordance with international law.

MEASURES IN RELATION TO VERIFICATION OF NON-DIVERSION

Article 18

If the Board, upon report of the Director General, decides that an action by the Government of Iran is essential and urgent in order to ensure verification that nuclear material subject to safeguards under this Agreement is not diverted to nuclear weapons or other nuclear explosive devices, the Board may call upon the Government of Iran to take the required action without delay, irrespective of whether procedures have been invoked pursuant to Article 22 of this Agreement for the settlement of a dispute.

Article 19

If the Board, upon examination of relevant information reported to it by the Director General, finds that the Agency is not able to verify that there has been no diversion of nuclear material required to be safeguarded under this Agreement, to nuclear weapons or other nuclear explosive devices, it may make the reports provided for in paragraph C of Article XII of the Statute of the Agency (hereinafter referred to as "the Statute") and may also take, where applicable, the other measures provided for in that paragraph. In taking such action the Board shall take account of the degree of assurance provided by the safeguards measures that have been applied and shall afford the Government of Iran every reasonable opportunity to furnish the Board with any necessary reassurance.

INTERPRETATION AND APPLICATION OF THE AGREEMENT
AND SETTLEMENT OF DISPUTES

Article 20

The Government of Iran and the Agency shall, at the request of either, consult about any question arising out of the interpretation or application of this Agreement.

Article 21

The Government of Iran shall have the right to request that any question arising out of the interpretation or application of this Agreement be considered by the Board. The Board shall invite the Government of Iran to participate in the discussion of any such question by the Board.

Article 22

Any dispute arising out of the interpretation or application of this Agreement, except a dispute with regard to a finding by the Board under Article 19 or an action taken by the Board pursuant to such a finding, which is not settled by negotiation or another procedure agreed to by the Government of Iran and the Agency shall, at the request of either, be submitted to an arbitral tribunal composed as follows: the Government of Iran and the Agency shall each designate one arbitrator, and the two arbitrators so designated shall elect a third, who shall be the Chairman. If, within thirty days of the request for arbitration, either the Government of Iran or the Agency has not designated an arbitrator, either the Government of

Iran or the Agency may request the President of the International Court of Justice to appoint an arbitrator. The same procedure shall apply if, within thirty days of the designation or appointment of the second arbitrator, the third arbitrator has not been elected. A majority of the members of the arbitral tribunal shall constitute a quorum, and all decisions shall require the concurrence of two arbitrators. The arbitral procedure shall be fixed by the tribunal. The decisions of the tribunal shall be binding on the Government of Iran and the Agency.

SUSPENSION OF APPLICATION OF AGENCY SAFEGUARDS UNDER OTHER AGREEMENTS

Article 23

The application of Agency safeguards in Iran under other safeguards agreements with the Agency shall be suspended while this Agreement is in force; provided, however, that Iran's undertaking in those and other agreements not to use items which are subject thereto in such a way as to further any military purpose shall continue to apply.[4]

AMENDMENT OF THE AGREEMENT

Article 24

- (a) The Government of Iran and the Agency shall, at the request of either, consult each other on amendment to this Agreement.
- (b) All amendments shall require the agreement of the Government of Iran and the Agency.
- (c) Amendments to this Agreement shall enter into force in the same conditions as entry into force of the Agreement itself.
- (d) The Director General shall promptly inform all Member States of the Agency of any amendment to this Agreement.

ENTRY INTO FORCE AND DURATION

Article 25

This Agreement shall enter into force on the date upon which the Agency receives from the Government of Iran written notification that Iran's statutory and constitutional requirements for entry into force have been met. The Director General shall promptly inform all Member States of the Agency of the entry into force of this Agreement.

Article 26

This Agreement shall remain in force as long as Iran is party to the Treaty.

PART II

INTRODUCTION

Article 27

The purpose of this part of the Agreement is to specify the procedures to be applied in the implementation of the safeguards provisions of Part I.

[4] In relation to this provision, see documents INFCIRC/97/Mod.1 and INFCIRC/127/Mod.1.

OBJECTIVE OF SAFEGUARDS

Article 28

The objective of the safeguards procedures set forth in this part of the Agreement is the timely detection of diversion of significant quantities of nuclear material from peaceful nuclear activities to the manufacture of nuclear weapons or of other nuclear explosive devices or for purposes unknown, and deterrence of such diversion by the risk of early detection.

Article 29

For the purpose of achieving the objective set forth in Article 28, material accountancy shall be used as a safeguards measure of fundamental importance, with containment and surveillance as important complementary measures.

Article 30

The technical conclusion of the Agency's verification activities shall be a statement, in respect of each material balance area, of the amount of material unaccounted for over a specific period, and giving the limits of accuracy of the amounts stated.

NATIONAL SYSTEM OF ACCOUNTING FOR AND CONTROL OF NUCLEAR MATERIAL

Article 31

Pursuant to Article 7 the Agency, in carrying out its verification activities, shall make full use of Iran's system of accounting for and control of all nuclear material subject to safeguards under this Agreement and shall avoid unnecessary duplication of Iran's accounting and control activities.

Article 32

Iran's system of accounting for and control of all nuclear material subject to safeguards under this Agreement shall be based on a structure of material balance areas, and shall make provision, as appropriate and specified in the Subsidiary Arrangements, for the establishment of such measures as:

- (a) A measurement system for the determination of the quantities of nuclear material received, produced, shipped, lost or otherwise removed from inventory, and the quantities on inventory;
- (b) The evaluation of precision and accuracy of measurements and the estimation of measurement uncertainty;
- (c) Procedures for identifying, reviewing and evaluating differences in shipper/receiver measurements;
- (d) Procedures for taking a physical inventory;
- (e) Procedures for the evaluation of accumulations of unmeasured inventory and unmeasured losses;
- (f) A system of records and reports showing, for each material balance area, the inventory of nuclear material and the changes in that inventory including receipts into and transfers out of the material balance area;

- (g) Provisions to ensure that the accounting procedures and arrangements are being operated correctly; and
- (h) Procedures for the provision of reports to the Agency in accordance with Articles 59-69.

STARTING POINT OF SAFEGUARDS

Article 33

Safeguards under this Agreement shall not apply to material in mining or ore processing activities.

Article 34

- (a) When any material containing uranium or thorium which has not reached the stage of the nuclear fuel cycle described in paragraph (c) is directly or indirectly exported to a non-nuclear-weapon State, the Government of Iran shall inform the Agency of its quantity, composition and destination, unless the material is exported for specifically non-nuclear purposes;
- (b) When any material containing uranium or thorium which has not reached the stage of the nuclear fuel cycle described in paragraph (c) is imported, the Government of Iran shall inform the Agency of its quantity and composition, unless the material is imported for specifically non-nuclear purposes; and
- (c) When any nuclear material of a composition and purity suitable for fuel fabrication or for isotopic enrichment leaves the plant or the process stage in which it has been produced, or when such nuclear material, or any other nuclear material produced at a later stage in the nuclear fuel cycle, is imported into Iran, the nuclear material shall become subject to the other safeguards procedures specified in this Agreement.

TERMINATION OF SAFEGUARDS

Article 35

- (a) Safeguards shall terminate on nuclear material subject to safeguards under this Agreement, under the conditions set forth in Article 11. Where the conditions of that Article are not met, but the Government of Iran considers that the recovery of safeguarded nuclear material from residues is not for the time being practicable or desirable, the Government of Iran and the Agency shall consult on the appropriate safeguards measures to be applied.
- (b) Safeguards shall terminate on nuclear material subject to safeguards under this Agreement, under the conditions set forth in Article 13, provided that the Government of Iran and the Agency agree that such nuclear material is practicably irrecoverable.

EXEMPTIONS FROM SAFEGUARDS

Article 36

At the request of the Government of Iran, the Agency shall exempt nuclear material from safeguards, as follows:

- (a) Special fissionable material, when it is used in gram quantities or less as a sensing component in instruments;

- (b) Nuclear material, when it is used in non-nuclear activities in accordance with Article 13, if such nuclear material is recoverable; and
- (c) Plutonium with an isotopic concentration of plutonium-238 exceeding 80%.

Article 37

At the request of the Government of Iran the Agency shall exempt from safeguards nuclear material that would otherwise be subject to safeguards, provided that the total quantity of nuclear material which has been exempted in Iran in accordance with this Article may not at any time exceed:

- (a) One kilogram in total of special fissionable material, which may consist of one or more of the following:
 - (i) Plutonium;
 - (ii) Uranium with an enrichment of 0.2 (20%) and above, taken account of by multiplying its weight by its enrichment; and
 - (iii) Uranium with an enrichment below 0.2 (20%) and above that of natural uranium, taken account of by multiplying its weight by five times the square of its enrichment;
- (b) Ten metric tons in total of natural uranium and depleted uranium with an enrichment above 0.005 (0.50/6);
- (c) Twenty metric tons of depleted uranium with an enrichment of 0.005 (0.50/6) or below; and
- (d) Twenty metric tons of thorium;

or such greater amounts as may be specified by the Board for uniform application.

Article 38

If exempted nuclear material is to be processed or stored together with nuclear material subject to safeguards under this Agreement, provision shall be made for the reapplication of safeguards thereto.

SUBSIDIARY ARRANGEMENTS

Article 39

The Government of Iran and the Agency shall make Subsidiary Arrangements which shall specify in detail, to the extent necessary to permit the Agency to fulfil its responsibilities under this Agreement in an effective and efficient manner, how the procedures laid down in this Agreement are to be applied. The Subsidiary Arrangements may be extended or changed by agreement between the Government of Iran and the Agency without amendment of this Agreement.

Article 40

The Subsidiary Arrangements shall enter into force at the same time as, or as soon as possible after, the entry into force of this Agreement. The Government of Iran and the Agency shall make every effort to achieve their entry into force within ninety days of the entry into force of this Agreement; an extension of that period shall require agreement between the Government of Iran and the Agency. The Government of Iran shall provide the Agency promptly with the information required for completing the Subsidiary Arrangements.

Upon the entry into force of this Agreement, the Agency shall have the right to apply the procedures laid down therein in respect of the nuclear material listed in the inventory provided for in Article 41, even if the Subsidiary Arrangements have not yet entered into force.

INVENTORY

Article 41

On the basis of the initial report referred to in Article 62, the Agency shall establish a unified inventory of all nuclear material in Iran subject to safeguards under this Agreement, irrespective of its origin, and shall maintain this inventory on the basis of subsequent reports and of the results of its verification activities. Copies of the inventory shall be made available to the Government of Iran at intervals to be agreed.

DESIGN INFORMATION

General provisions

Article 42

Pursuant to Article 8, design information in respect of existing facilities shall be provided to the Agency during the discussion of the Subsidiary Arrangements. The time limits for the provision of design information in respect of the new facilities shall be specified in the Subsidiary Arrangements and such information shall be provided as early as possible before nuclear material is introduced into a new facility.

Article 43

The design information to be provided to the Agency shall include, in respect of each facility, when applicable:

- (a) The identification of the facility, stating its general character, purpose, nominal capacity and geographic location, and the name and address to be used for routine business purposes;
- (b) A description of the general arrangement of the facility with reference, to the extent feasible, to the form, location and flow of nuclear material and to the general layout of important items of equipment which use, produce or process nuclear material;
- (c) A description of features of the facility relating to material accountancy, containment and surveillance; and
- (d) A description of the existing and proposed procedures at the facility for nuclear material accountancy and control, with special reference to material balance areas established by the operator, measurements of flow and procedures for physical inventory taking.

Article 44

Other information relevant to the application of safeguards shall also be provided to the Agency in respect of each facility, in particular on organizational responsibility for material accountancy and control. The Government of Iran shall provide the Agency with supplementary information on the health and safety procedures which the Agency shall observe and with which the inspectors shall comply at the facility.

Article 45

The Agency shall be provided with design information in respect of a modification relevant for safeguards purposes, for examination, and shall be informed of any change in the information provided to it under Article 44, sufficiently in advance for the safeguards procedures to be adjusted when necessary.

Article 46

Purposes of examination of design information

The design information provided to the Agency shall be used for the following purposes:

- (a) To identify the features of facilities and nuclear material relevant to the application of safeguards to nuclear material in sufficient detail to facilitate verification;
- (b) To determine material balance areas to be used for Agency accounting purposes and to select those strategic points which are key measurement points and which will be used to determine flow and inventory of nuclear material, in determining such material balance areas the Agency shall, inter alia, use the following criteria:
 - (i) The size of the material balance area shall be related to the accuracy with which the material balance can be established;
 - (ii) In determining the material balance area advantage shall be taken of any opportunity to use containment and surveillance to help ensure the completeness of flow measurements and thereby to simplify the application of safeguards and to concentrate measurement efforts at key measurement points;
 - (iii) A number of material balance areas in use at a facility or at distinct sites may be combined in one material balance area to be used for Agency accounting purposes when the Agency determines that this is consistent with its verification requirements; and
 - (iv) A special material balance area may be established at the request of the Government of Iran around a process step involving commercially sensitive information;
- (c) To establish the nominal timing and procedures for taking of physical inventory of nuclear material for Agency accounting purposes;
- (d) To establish the records and reports requirements and records evaluation procedures;
- (e) To establish requirements and procedures for verification of the quantity and location of nuclear material; and
- (f) To select appropriate combinations of containment and surveillance methods and techniques and the strategic points at which they are to be applied.

The results of the examination of the design information shall be included in the Subsidiary Arrangements.

Article 47

Re-examination of design information

Design information shall be re-examined in the light of changes in operating conditions, of developments in safeguards technology or of experience in the application of verification procedures, with a view to modifying the action the Agency has taken pursuant to Article 46.

Article 48

Verification of design information

The Agency, in co-operation with the Government of Iran, may send inspectors to facilities to verify the design information provided to the Agency pursuant to Articles 42-45, for the purposes stated in Article 46.

INFORMATION IN RESPECT OF NUCLEAR MATERIAL OUTSIDE FACILITIES

Article 49

The Agency shall be provided with the following information when nuclear material is to be customarily used outside facilities, as applicable:

- (a) A general description of the use of the nuclear material, its geographic location, and the user's name and address for routine business purposes; and
- (b) A general description of the existing and proposed procedures for nuclear material accountancy and control, including organizational responsibility for material accountancy and control.

The Agency shall be informed, on a timely basis, of any change in the information provided to it under this Article.

Article 50

The information provided to the Agency pursuant to Article 49 may be used, to the extent relevant, for the purposes set out in Article 46(b)-(f).

RECORDS SYSTEM

General provisions

Article 51

In establishing its system of materials control as referred to in Article 7, the Government of Iran shall arrange that records are kept in respect of each material balance area. The records to be kept shall be described in the Subsidiary Arrangements.

Article 52

The Government of Iran shall make arrangements to facilitate the examination of records by inspectors, particularly if the records are not kept in English, French, Russian or Spanish.

Article 53

Records shall be retained for at least five years.

Article 54

Records shall consist, as appropriate, of:

- (a) Accounting records of all nuclear material subject to safeguards under this Agreement, and
- (b) Operating records for facilities containing such nuclear material.

Article 55

The system of measurements on which the records used for the preparation of reports are based shall either conform to the latest international standards or be equivalent in quality to such standards.

Accounting records

Article 56

The accounting records shall set forth the following in respect of each material balance area:

- (a) All inventory changes, so as to permit a determination of the book inventory at any time;
- (b) All measurement results that are used for determination of the physical inventory; and
- (c) All adjustments and corrections that have been made in respect of inventory changes, book inventories and physical inventories.

Article 57

For all inventory changes and physical inventories the records shall show, in respect of each batch of nuclear material: material identification, batch data and source data. The records shall account for uranium, thorium and plutonium separately in each batch of nuclear material. For each inventory change, the date of the inventory change and, when appropriate, the originating material balance area and the receiving material balance area or the recipient, shall be indicated.

Article 58

Operating record

The operating records shall set forth, as appropriate, in respect of each material balance area:

- (a) Those operating data which are used to establish changes in the quantities and composition of nuclear material;
- (b) The data obtained from the calibration of tanks and instruments and from sampling and analyses, the procedures to control the quality of measurements and the derived estimates of random and systematic error;
- (c) A description of the sequence of the actions taken in preparing for, and in taking, a physical inventory, in order to ensure that it is correct and complete; and
- (d) A description of the actions taken in order to ascertain the cause and magnitude of any accidental or unmeasured loss that might occur.

REPORTS SYSTEM

General provisions

Article 59

The Government of Iran shall provide the Agency with reports as detailed in Articles 60-69 in respect of nuclear material subject to safeguards under this Agreement.

Article 60

Reports shall be made in English, French, Russian or Spanish, except as otherwise specified in the Subsidiary Arrangements.

Article 61

Reports shall be based on the records kept in accordance with Articles 51-58 and shall consist, as appropriate, of accounting reports and special reports.

Accounting reports

Article 62

The Agency shall be provided with an initial report on all nuclear material subject to safeguards under this Agreement. The initial report shall be dispatched by the Government of Iran to the Agency within thirty days of the last day of the calendar month in which this Agreement enters into force, and shall reflect the situation as of the last day of that month.

Article 63

The Government of Iran shall provide the Agency with the following accounting reports for each material balance area:

- (a) Inventory change reports showing all changes in the inventory of nuclear material. The reports shall be dispatched as soon as possible and in any event within thirty days after the end of the month in which the inventory changes occurred or were established; and
- (b) Material balance reports showing the material balance based on a physical inventory of nuclear material actually present in the material balance area. The reports shall be dispatched as soon as possible and in any event within thirty days after the physical inventory has been taken.

The reports shall be based on data available as of the date of reporting and may be corrected at a later date, as required.

Article 64

Inventory change reports shall specify identification and batch data for each batch of nuclear material, the date of the inventory change and, as appropriate, the originating material balance area and the receiving material balance area or the recipient. These reports shall be accompanied by concise notes:

- (a) Explaining the inventory changes, on the basis of the operating data contained in the operating records provided for under Article 58(a); and
- (b) Describing, as specified in the Subsidiary Arrangements, the anticipated operational programme, particularly the taking of a physical inventory.

Article 65

The Government of Iran shall report each inventory change, adjustment and correction, either periodically in a consolidated list or individually. Inventory changes shall be reported in terms of batches. As specified in the Subsidiary Arrangements, small changes in inventory of nuclear material, such as transfers of analytical samples, may be combined in one batch and reported as one inventory change.

Article 66

The Agency shall provide the Government of Iran with semi-annual statements of book inventory of nuclear material subject to safeguards under this Agreement, for each material balance area, as based on the inventory change reports for the period covered by each such statement.

Article 67

Material balance reports shall include the following entries, unless otherwise agreed by the Government of Iran and the Agency:

- (a) Beginning physical inventory;
- (b) Inventory changes (first increases, then decreases);
- (c) Ending book inventory;
- (d) Shipper/ receiver differences;
- (e) Adjusted ending book inventory;
- (f) Ending physical inventory; and
- (g) Material unaccounted for.

A statement of the physical inventory, listing all batches separately and specifying material identification and batch data for each batch, shall be attached to each material balance report.

Article 68

Special reports

The Government of Iran shall make special reports without delay:

- (a) If any unusual incident or circumstances lead the Government of Iran to believe that there is or may have been loss of nuclear material that exceeds the limits specified for this purpose in the Subsidiary Arrangements; or
- (b) If the containment has unexpectedly changed from that specified in the Subsidiary Arrangements to the extent that unauthorized removal of nuclear material has become possible.

Article 69

Amplification and clarification of reports

If the Agency so requests, the Government of Iran shall provide it with amplifications or clarifications of any report, in so far as relevant for the purpose of safeguards.

INSPECTIONS

Article 70

General provisions

The Agency shall have the right to make inspections as provided for in Articles 71-82.

Purposes of inspections

Article 71

The Agency may make ad hoc inspections in order to:

- (a) Verify the information contained in the initial report on the nuclear material subject to safeguards under this Agreement,
- (b) Identify and verify changes in the situation which have occurred since the date of the initial report; and
- (c) Identify, and if possible verify the quantity and composition of, nuclear material in accordance with Articles 93 and 96, before its transfer out of or upon its transfer into Iran.

Article 72

The Agency may make routine inspections in order to:

- (a) Verify that reports are consistent with records;
- (b) Verify the location, identity, quantity and composition of all nuclear material subject to safeguards under this Agreement; and
- (c) Verify information on the possible causes of material unaccounted for, shipper/receiver differences and uncertainties in the book inventory.

Article 73

Subject to the procedures laid down in Article 77, the Agency may make special inspections:

- (a) In order to verify the information contained in special reports; or
- (b) If the Agency considers that information made available by the Government of Iran including explanations from the Government of Iran and information obtained from routine inspections, is not adequate for the Agency to fulfil its responsibilities under this Agreement.

An inspection shall be deemed to be special when it is either additional to the routine inspection effort provided for in Articles 78-82 or involves access to information or locations in addition to the access specified in Article 76 for ad hoc and routine inspections, or both.

Scope of inspections

Article 74

For the purposes specified in Articles 71-73, the Agency may:

- (a) Examine the records kept pursuant to Articles 51-58;
- (b) Make independent measurements of all nuclear material subject to safeguards under this Agreement;
- (c) Verify the functioning and calibration of instruments and other measuring and control equipment;
- (d) Apply and make use of surveillance and containment measures; and
- (e) Use other objective methods which have been demonstrated to be technically feasible.

Article 75

Within the scope of Article 74, the Agency shall be enabled:

- (a) To observe that samples at key measurement points for material balance accountancy are taken in accordance with procedures which produce representative samples, to observe the treatment and analysis of the samples and to obtain duplicates of such samples;
- (b) To observe that the measurements of nuclear material at key measurement points for material balance accountancy are representative, and to observe the calibration of the instruments and equipment involved;
- (c) To make arrangements with the Government of Iran that, if necessary:
 - (i) Additional measurements are made and additional samples taken for the Agency's use;
 - (ii) The Agency's standard analytical samples are analysed;
 - (iii) Appropriate absolute standards are used in calibrating instruments and other equipment; and
 - (iv) Other calibrations are carried out;
- (d) To arrange to use its own equipment for independent measurement and surveillance, and if so agreed and specified in the Subsidiary Arrangements to arrange to install such equipment;
- (e) To apply its seals and other identifying and tamper-indicating devices to containments, if so agreed and specified in the Subsidiary Arrangements; and
- (f) To make arrangements with the Government of Iran for the shipping of samples taken for the Agency's use.

Access for inspections

Article 76

- (a) For the purposes specified in Article 71 (a) and (b) and until such time as the strategic points have been specified in the Subsidiary Arrangements, the Agency inspectors shall have access to any location where the initial report or any inspections carried out in connection with it indicate that nuclear material is present;
- (b) For the purposes specified in Article 71(c) the inspectors shall have access to any location of which the Agency has been notified in accordance with Articles 92(d)(iii) or 95(d)(iii);
- (c) For the purposes specified in Article 72 the inspectors shall have access only to the strategic points specified in the Subsidiary Arrangements and to the records maintained pursuant to Articles 51-58; and
- (d) In the event of the Government of Iran concluding that any unusual circumstances require extended limitations on access by the Agency, the Government of Iran and the Agency shall promptly make arrangements with a view to enabling the Agency to discharge its safeguards responsibilities in the light of these limitations. The Director General shall report each such arrangement to the Board.

Article 77

In circumstances which may lead to special inspections for the purposes specified in Article 73 the Government of Iran and the Agency shall consult forthwith. As a result of such consultations the Agency may:

- (a) Make inspections in addition to the routine inspection effort provided for in Articles 78-82; and
- (b) Obtain access, in agreement with the Government of Iran, to information or locations in addition to those specified in Article 76. Any disagreement concerning the need for additional access shall be resolved in accordance with Articles 21 and 22; in case action by the Government of Iran is essential and urgent, Article 18 shall apply.

Frequency and intensity of routine inspections

Article 78

The Agency shall keep the number, intensity and duration of routine inspections, applying optimum timing, to the minimum consistent with the effective implementation of the safeguards procedures set forth in this Agreement, and shall make the optimum and most economical use of inspection resources available to it.

Article 79

The Agency may carry out one routine inspection per year in respect of facilities and material balance areas outside facilities with a content or annual throughput, whichever is greater, of nuclear material not exceeding five effective kilograms.

Article 80

The number, intensity, duration, timing and mode of routine inspections in respect of facilities with a content or annual throughput of nuclear material exceeding five effective kilograms shall be determined on the basis that in the maximum or limiting case the inspection regime shall be no more intensive than is necessary and sufficient to maintain continuity of knowledge of the flow and inventory of nuclear material, and the maximum routine inspection effort in respect of such facilities shall be determined as follows:

- (a) For reactors and sealed storage installations the maximum total of routine inspection per year shall be determined by allowing one sixth of a man-year of inspection for each such facility;
- (b) For facilities, other than reactors or sealed storage installations, involving plutonium or uranium enriched to more than 5%, the maximum total of routine inspection per year shall be determined by allowing for each such facility $30 \times E$ man-days of inspection per year, where E is the inventory or annual throughput of nuclear material, whichever is greater, expressed in effective kilograms. The maximum established for any such facility shall not, however, be less than 1.5 man-years of inspection; and
- (c) For facilities not covered by paragraphs (a) or (b), the maximum total of routine inspection per year shall be determined by allowing for each such facility one third of a man-year of inspection plus $0.4 \times E$ man-days of inspection per year, where E is the inventory or annual throughput of nuclear material, whichever is greater, expressed in effective kilograms.

The Government of Iran and the Agency may agree to amend the figures for the maximum inspection effort specified in this Article, upon determination by the Board that such amendment is reasonable.

Article 81

Subject to Articles 78-80 the criteria to be used for determining the actual number, intensity, duration, timing and mode of routine inspections in respect of any facility shall include:

- (a) The form of the nuclear material, in particular, whether the nuclear material is in bulk form or contained in a number of separate items; its chemical composition and, in the case of uranium, whether it is of low or high enrichment; and its accessibility;
- (b) The effectiveness of Iran's accounting and control system, including the extent to which the operators of facilities are functionally independent of Iran's accounting and control system; the extent to which the measures specified in Article 32 have been implemented by the Government of Iran; the promptness of reports provided to the Agency; their consistency with the Agency's independent verification; and the amount and accuracy of the material unaccounted for, as verified by the Agency;
- (c) Characteristics of Iran's nuclear fuel cycle, in particular, the number and types of facilities containing nuclear material subject to safeguards, the characteristics of such facilities relevant to safeguards, notably the degree of containment; the extent to which the design of such facilities facilitates verification of the flow and inventory of nuclear material; and the extent to which information from different material balance areas can be correlated;
- (d) International interdependence, in particular, the extent to which nuclear material is received from or sent to other States for use or processing; any verification activities by the Agency in connection therewith; and the extent to which Iran's nuclear activities are interrelated with those of other States; and
- (e) Technical developments in the field of safeguards, including the use of statistical techniques and random sampling in evaluating the flow of nuclear material.

Article 82

The Government of Iran and the Agency shall consult if the Government of Iran considers that the inspection effort is being deployed with undue concentration on particular facilities.

Notice of inspections

Article 83

The Agency shall give advance notice to the Government of Iran before arrival of inspectors at facilities or material balance areas outside facilities, as follows:

- (a) For ad hoc inspections pursuant to Article 71 (c), at least 24 hours; for those pursuant to Article 71 (a) and (b) as well as the activities provided for in Article 48, at least one week;
- (b) For special inspections pursuant to Article 73, as promptly as possible after the Government of Iran and the Agency have consulted as provided for in Article 77, it being understood that notification of arrival normally will constitute part of the consultations; and
- (c) For routine inspections pursuant to Article 72, at least 24 hours in respect of the facilities referred to in Article 80(b) and sealed storage installations containing plutonium or uranium enriched to more than 516, and one week in all other cases,

Such notice of inspections shall include the names of the inspectors and shall indicate the facilities and the material balance areas outside facilities to be visited and the periods during which they will be visited. If the inspectors are to arrive from outside Iran the Agency shall also give advance notice of the place and time of their arrival in Iran.

Article 84

Notwithstanding the provisions of Article 83, the Agency may, as a supplementary measure, carry out without advance notification a portion of the routine inspections pursuant to Article 80 in accordance with the principle of random sampling. In performing any unannounced inspections, the Agency shall fully take into account any operational programme provided by the Government of Iran pursuant to Article 64(b). Moreover, whenever practicable, and on the basis of the operational programme, it shall advise the Government of Iran periodically of its general programme of announced and unannounced inspections, specifying the general periods when inspections are foreseen. In carrying out any unannounced inspections, the Agency shall make every effort to minimize any practical difficulties for the Government of Iran and for facility operators, bearing in mind the relevant provisions of Articles 44 and 89. Similarly the Government of Iran shall make every effort to facilitate the task of the inspectors.

Designation of inspectors

Article 85

The following procedures shall apply to the designation of inspectors:

- (a) The Director General shall inform the Government of Iran in writing of the name, qualifications, nationality, grade and such other particulars as may be relevant, of each Agency official he proposes for designation as an inspector for Iran;
- (b) The Government of Iran shall inform the Director General within thirty days of the receipt of such a proposal whether it accepts the proposal;
- (c) The Director General may designate each official who has been accepted by the Government of Iran as one of the inspectors for Iran, and shall inform the Government of Iran of such designations; and
- (d) The Director General, acting in response to a request by the Government of Iran or on his own initiative, shall immediately inform the Government of Iran of the withdrawal of the designation of any official as an inspector for Iran.

However, in respect of inspectors needed for the activities provided for in Article 48 and to carry out ad hoc inspections pursuant to Article 71 (a) and (b) the designation procedures shall be completed if possible within thirty days after the entry into force of this Agreement. If such designation appears impossible within this time limit, inspectors for such purposes shall be designated on a temporary basis.

Article 86

The Government of Iran shall grant or renew as quickly as possible appropriate visas, where required, for each inspector designated for Iran.

Conduct and visits of inspectors

Article 87

Inspectors, in exercising their functions under Articles 48 and 71-75, shall carry out their activities in a manner designed to avoid hampering or delaying the construction, commissioning or operation of facilities, or affecting their safety. In particular inspectors shall not operate any facility themselves or direct the staff of a facility to carry out any

operation. If inspectors consider that in pursuance of Articles 74 and 75, particular operations in a facility should be carried out by the operator, they shall make a request therefor.

Article 88

When inspectors require services available in Iran, including the use of equipment, in connection with the performance of inspections, the Government of Iran shall facilitate the procurement of such services and the use of such equipment by inspectors.

Article 89

The Government of Iran shall have the right to have inspectors accompanied during their inspections by representatives of the Government of Iran, provided that inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions.

STATEMENTS ON THE AGENCY'S VERIFICATION ACTIVITIES

Article 90

The Agency shall inform the Government of Iran of:

- (a) The results of inspections, at intervals to be specified in the Subsidiary Arrangements; and
- (b) The conclusions it has drawn from its verification activities in Iran, in particular by means of statements in respect of each material balance area, which shall be made as soon as possible after a physical inventory has been taken and verified by the Agency and a material balance has been struck.

INTERNATIONAL TRANSFERS

Article 91

General provisions

Nuclear material subject or required to be subject to safeguards under this Agreement which is transferred internationally shall, for purposes of this Agreement, be regarded as being the responsibility of the Government of Iran:

- (a) In the case of import into Iran, from the time that such responsibility ceases to lie with the exporting State, and no later than the time at which the material reaches its destination; and
- (b) In the case of export out of Iran, up to the time at which the recipient State assumes such responsibility, and no later than the time at which the nuclear material reaches its destination.

The point at which the transfer of responsibility will take place shall be determined in accordance with suitable arrangements to be made by the States concerned. Neither Iran nor any other State shall be deemed to have such responsibility for nuclear material merely by reason of the fact that the nuclear material is in transit on or over its territory, or that it is being transported on a ship under its flag or in its aircraft.

Transfers out of Iran

Article 92

- (a) The Government of Iran shall notify the Agency of any intended transfer out of Iran of nuclear material subject to safeguards under this Agreement if the shipment exceeds one effective kilogram, or if, within a period of three months, several separate shipments are to be made to the same State, each of less than one effective kilogram but the total of which exceeds one effective kilogram.
- (b) Such notification shall be given to the Agency after the conclusion of the contractual arrangements leading to the transfer and normally at least two weeks before the nuclear material is to be prepared for shipping.
- (c) The Government of Iran and the Agency may agree on different procedures for advance notification.
- (d) The notification shall specify:
 - (i) The identification and, if possible, the expected quantity and composition of the nuclear material to be transferred, and the material balance area from which it will come;
 - (ii) The State for which the nuclear material is destined;
 - (iii) The dates on and locations at which the nuclear material is to be prepared for shipping;
 - (iv) The approximate dates of dispatch and arrival of the nuclear material; and
 - (v) At what point of the transfer the recipient State will assume responsibility for the nuclear material for the purpose of this Agreement, and the probable date on which that point will be reached.

Article 93

The notification referred to in Article 92 shall be such as to enable the Agency to make, if necessary, an ad hoc inspection to identify, and if possible verify the quantity and composition of, the nuclear material before it is transferred out of Iran and, if the Agency so wishes or the Government of Iran so requests, to affix seals to the nuclear material when it has been prepared for shipping. However, the transfer of the nuclear material shall not be delayed in any way by any action taken or contemplated by the Agency pursuant to such a notification.

Article 94

If the nuclear material will not be subject to Agency safeguards in the recipient State, the Government of Iran shall make arrangements for the Agency to receive, within three months of the time when the recipient State accepts responsibility for the nuclear material from Iran, confirmation by the recipient State of the transfer.

Transfers into Iran

Article 95

- (a) The Government of Iran shall notify the Agency of any expected transfer into Iran of nuclear material required to be subject to safeguards under this Agreement if the shipment exceeds one effective kilogram, or if, within a period of three months, several separate shipments are to be received from the same State, each of less than one effective kilogram but the total of which exceeds one effective kilogram.

- (b) The Agency shall be notified as much in advance as possible of the expected arrival of the nuclear material, and in any case not later than the date on which the Government of Iran assumes responsibility for the nuclear material.
- (c) The Government of Iran and the Agency may agree on different procedures for advance notification.
- (d) The notification shall specify:
 - (i) The identification and, if possible, the expected quantity and composition of the nuclear material;
 - (ii) At what point of the transfer the Government of Iran will assume responsibility for the nuclear material for the purpose of this Agreement and the probable date on which that point will be reached; and
 - (iii) The expected date of arrival, the location where, and the date on which, the nuclear material is intended to be unpacked.

Article 96

The notification referred to in Article 95 shall be such as to enable the Agency to make, if necessary, an ad hoc inspection to identify, and if possible verify the quantity and composition of, the nuclear material at the time the consignment is unpacked. However, unpacking shall not be delayed by any action taken or contemplated by the Agency pursuant to such a notification.

Article 97

Special reports

The Government of Iran shall make a special report as envisaged in Article 68 if any unusual incident or circumstances lead the Government of Iran to believe that there is or may have been loss of nuclear material, including the occurrence of significant delay, during an international transfer.

DEFINITIONS

Article 98

For the purposes of this Agreement:

- A. Adjustment means an entry into an accounting record or a report showing a shipper/receiver difference or material unaccounted for.
- B. Annual throughput means, for the purposes of Articles 79 and 80, the amount of nuclear material transferred annually out of a facility working at nominal capacity.
- C. Batch means a portion of nuclear material handled as a unit for accounting purposes at a key measurement point and for which the composition and quantity are defined by a single set of specifications or measurements. The nuclear material may be in bulk form or contained in a number of separate items.
- D. Batch data means the total weight of each element of nuclear material and, in the case of plutonium and uranium, the isotopic composition when appropriate. The units of account shall be as follows:
 - (a) Grams of contained plutonium;
 - (b) Grams of total uranium and grams of contained uranium-235 plus uranium-233 for uranium enriched in these isotopes; and
 - (c) Kilograms of contained thorium, natural uranium or depleted uranium.

For reporting purposes the weights of individual items in the batch shall be added together before rounding to the nearest unit.

- E. Book inventory of a material balance area means the algebraic sum of the most recent physical inventory of that material balance area and of all inventory changes that have occurred since that physical inventory was taken.
- F. Correction means an entry into an accounting record or a report to rectify an identified mistake or to reflect an improved measurement of a quantity previously entered into the record or report. Each correction must identify the entry to which it pertains.
- G. Effective kilogram means a special unit used in safeguarding nuclear material. The quantity in effective kilograms is obtained by taking:
- (a) For plutonium, its weight in kilograms;
 - (b) For uranium with an enrichment of 0.01 (1%) and above, its weight in kilograms multiplied by the square of its enrichment;
 - (c) For uranium with an enrichment below 0.01 (1%) and above 0.005 (0.5% its weight in kilograms multiplied by 0.0001; and
 - (d) For depleted uranium with an enrichment of 0.005 (0.5%) or below, and for thorium, its weight in kilograms multiplied by 0.00005.
- H. Enrichment means the ratio of the combined weight of the isotopes uranium-233 and uranium-235 to that of the total uranium in question.
- I. Facility means:
- (a) A reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant or a separate storage installation; or
 - (b) Any location where nuclear material in amounts greater than one effective kilogram is customarily used.
- J. Inventory change means an increase or decrease, in terms of batches, of nuclear material in a material balance area; such a change shall involve one of the following:
- (a) Increases:
 - (i) Import;
 - (ii) Domestic receipt: receipts from other material balance areas, receipts from a non-safeguarded (non-peaceful) activity or receipts at the starting point of safeguards;
 - (iii) Nuclear production: production of special fissionable material in a reactor; and
 - (iv) De-exemption: re-application of safeguards on nuclear material previously exempted therefrom on account of its use or quantity.
 - (b) Decreases:
 - (i) Export;
 - (ii) Domestic shipment: shipments to other material balance areas or shipments for a non-safeguarded (non-peaceful) activity;

- (iii) Nuclear loss: loss of nuclear material due to its transformation into other element(s) or isotope(s) as a result of nuclear reactions;
- (iv) Measured discard: nuclear material which has been measured, or estimated on the basis of measurements, and disposed of in such a way that it is not suitable for further nuclear use;
- (v) Retained waste: nuclear material generated from processing or from an operational accident, which is deemed to be unrecoverable for the time being but which is stored;
- (vi) Exemption: exemption of nuclear material from safeguards on account of its use or quantity; and
- (vii) Other loss: for example, accidental loss (that is, irretrievable and inadvertent loss of nuclear material as the result of an operational accident) or theft.

K. Key measurement point means a location where nuclear material appears in such a form that it may be measured to determine material flow or inventory. Key measurement points thus include, but are not limited to, the inputs and outputs (including measured discards) and storages in material balance areas.

L. Man-year of inspection means, for the purposes of Article 80, 300 man-days of inspection, a man-day being a day during which a single inspector has access to a facility at any time for a total of not more than eight hours.

M. Material balance area means an area in or outside of a facility such that:

- (a) The quantity of nuclear material in each transfer into or out of each material balance area can be determined; and
- (b) The physical inventory of nuclear material in each material balance area can be determined when necessary, in accordance with specified procedures,

in order that the material balance for Agency safeguards purposes can be established.

N. Material unaccounted for means the difference between book inventory and physical inventory.

O. Nuclear material means any source or any special fissionable material as defined in Article XX of the Statute. The term source material shall not be interpreted as applying to ore or ore residue. Any determination by the Board under Article XX of the Statute after the entry into force of this Agreement which adds to the materials considered to be source material or special fissionable material shall have effect under this Agreement only upon acceptance by Iran.

P. Physical inventory means the sum of all the measured or derived estimates of batch quantities of nuclear material on hand at a given time within a material balance area, obtained in accordance with specified procedures.

Q. Shipper/ receiver difference means the difference between the quantity of nuclear material in a batch as stated by the shipping material balance area and as measured at the receiving material balance area.

R. Source data means those data, recorded during measurement or calibration or used to derive empirical relationships, which identify nuclear material and provide batch data. Source data may include, for example, weight of compounds, conversion factors to determine weight of element, specific gravity, element concentration, isotopic ratios, relationship between volume and manometer readings and relationship between plutonium produced and power generated.

S. Strategic point means a location selected during examination of design information where, under normal conditions and when combined with the information from all strategic points taken together, the information necessary and sufficient for the implementation of safeguards measures is obtained and verified; a strategic point may include any location where key measurements related to material balance accountancy are made and where containment and surveillance measures are executed.

DONE in Vienna on the 19th day of June 1973 in duplicate in the English language.

For the GOVERNMENT OF IRAN:

(signed) Dr. M. Sadri

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) Sigvard Eklund

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Model Protocol Additional to the Agreement(s) between State(s) and the International
Atomic Energy Agency for the Application of Safeguards

**MODEL PROTOCOL
ADDITIONAL TO THE AGREEMENT(S)
BETWEEN
AND THE
INTERNATIONAL ATOMIC ENERGY AGENCY
FOR THE
APPLICATION OF SAFEGUARDS**

Preamble

WHEREAS (hereinafter referred to as ".....") is a party to (an) Agreement(s) between and the International Atomic Energy Agency (hereinafter referred to as the "Agency") for the application of safeguards [full title of the Agreement(s) to be inserted] (hereinafter referred to as the "Safeguards Agreement(s)"), which entered into force on

AWARE OF the desire of the international community to further enhance nuclear non-proliferation by strengthening the effectiveness and improving the efficiency of the Agency's safeguards system;

RECALLING that the Agency must take into account in the implementation of safeguards the need to: avoid hampering the economic and technological development of or international co-operation in the field of peaceful nuclear activities; respect health, safety, physical protection and other security provisions in force and the rights of individuals; and take every precaution to protect commercial, technological and industrial secrets as well as other confidential information coming to its knowledge;

WHEREAS the frequency and intensity of activities described in this Protocol shall be kept to the minimum consistent with the objective of strengthening the effectiveness and improving the efficiency of Agency safeguards;

NOW THEREFORE and the Agency have agreed as follows:

RELATIONSHIP BETWEEN THE PROTOCOL AND THE SAFEGUARDS AGREEMENT

Article 1

The provisions of the Safeguards Agreement shall apply to this Protocol to the extent that they are relevant to and compatible with the provisions of this Protocol. In case of conflict between the provisions of the Safeguards Agreement and those of this Protocol, the provisions of this Protocol shall apply.

PROVISION OF INFORMATION

Article 2

- a. shall provide the Agency with a declaration containing:
- (i) A general description of and information specifying the location of *nuclear fuel cycle-related research and development activities*¹ not involving *nuclear material* carried out anywhere that are funded, specifically authorized or controlled by, or carried out on behalf of,
 - (ii) Information identified by the Agency on the basis of expected gains in effectiveness or efficiency, and agreed to by, on operational activities of safeguards relevance at *facilities* and at *locations outside facilities* where *nuclear material* is customarily used.
 - (iii) A general description of each building on each *site*, including its use and, if not apparent from that description, its contents. The description shall include a map of the *site*.
 - (iv) A description of the scale of operations for each location engaged in the activities specified in Annex I to this Protocol.
 - (v) Information specifying the location, operational status and the estimated annual production capacity of uranium mines and concentration plants and thorium concentration plants, and the current annual production of such mines and concentration plants for as a whole. shall provide, upon request by the

¹ Terms in italics have specialized meanings, which are defined in Article 18 below.

Agency, the current annual production of an individual mine or concentration plant. The provision of this information does not require detailed *nuclear material* accountancy.

- (vi) Information regarding source material which has not reached the composition and purity suitable for fuel fabrication or for being isotopically enriched, as follows:
- (a) The quantities, the chemical composition, the use or intended use of such material, whether in nuclear or non-nuclear use, for each location in at which the material is present in quantities exceeding ten metric tons of uranium and/or twenty metric tons of thorium, and for other locations with quantities of more than one metric ton, the aggregate for as a whole if the aggregate exceeds ten metric tons of uranium or twenty metric tons of thorium. The provision of this information does not require detailed *nuclear material* accountancy;
 - (b) The quantities, the chemical composition and the destination of each export out of, of such material for specifically non-nuclear purposes in quantities exceeding:
 - (1) Ten metric tons of uranium, or for successive exports of uranium from to the same State, each of less than ten metric tons, but exceeding a total of ten metric tons for the year;
 - (2) Twenty metric tons of thorium, or for successive exports of thorium from to the same State, each of less than twenty metric tons, but exceeding a total of twenty metric tons for the year;
 - (c) The quantities, chemical composition, current location and use or intended use of each import into of such material for specifically non-nuclear purposes in quantities exceeding:
 - (1) Ten metric tons of uranium, or for successive imports of uranium into each of less than

ten metric tons, but exceeding a total of ten metric tons for the year;

- (2) Twenty metric tons of thorium, or for successive imports of thorium into each of less than twenty metric tons, but exceeding a total of twenty metric tons for the year;

it being understood that there is no requirement to provide information on such material intended for a non-nuclear use once it is in its non-nuclear end-use form.

- (vii) (a) Information regarding the quantities, uses and locations of *nuclear material* exempted from safeguards pursuant to [paragraph 37 of INFCIRC/153]²;
- (b) Information regarding the quantities (which may be in the form of estimates) and uses at each location, of *nuclear material* exempted from safeguards pursuant to [paragraph 36(b) of INFCIRC/153]² but not yet in a non-nuclear end-use form, in quantities exceeding those set out in [paragraph 37 of INFCIRC/153]². The provision of this information does not require detailed *nuclear material* accountancy.
- (viii) Information regarding the location or further processing of intermediate or high-level waste containing plutonium, *high enriched uranium* or uranium-233 on which safeguards have been terminated pursuant to [paragraph 11 of INFCIRC/153]². For the purpose of this paragraph, "further processing" does not include repackaging of the waste or its further conditioning not involving the separation of elements, for storage or disposal.
- (ix) The following information regarding specified equipment and non-nuclear material listed in Annex II:
- (a) For each export out of of such equipment and material: the identity, quantity, location of intended use

²

The reference to the corresponding provision of the relevant Safeguards Agreement should be inserted where bracketed references to INFCIRC/153 are made.

in the receiving State and date or, as appropriate, expected date, of export;

(b) Upon specific request by the Agency, confirmation by, as importing State, of information provided to the Agency by another State concerning the export of such equipment and material to".

(x) General plans for the succeeding ten-year period relevant to the development of the nuclear fuel cycle (including planned *nuclear fuel cycle-related research and development activities*) when approved by the appropriate authorities in

b. shall make every reasonable effort to provide the Agency with the following information:

(i) A general description of and information specifying the location of *nuclear fuel cycle-related research and development activities* not involving *nuclear material* which are specifically related to enrichment, reprocessing of nuclear fuel or the processing of intermediate or high-level waste containing plutonium, *high enriched uranium* or uranium-233 that are carried out anywhere in but which are not funded, specifically authorized or controlled by, or carried out on behalf of, For the purpose of this paragraph, "processing" of intermediate or high-level waste does not include repackaging of the waste or its conditioning not involving the separation of elements, for storage or disposal.

(ii) A general description of activities and the identity of the person or entity carrying out such activities, at locations identified by the Agency outside a *site* which the Agency considers might be functionally related to the activities of that *site*. The provision of this information is subject to a specific request by the Agency. It shall be provided in consultation with the Agency and in a timely fashion.

c. Upon request by the Agency, shall provide amplifications or clarifications of any information it has provided under this Article, in so far as relevant for the purpose of safeguards.

Article 3

- a. shall provide to the Agency the information identified in Article 2.a.(i), (iii), (iv), (v), (vi)(a), (vii) and (x) and Article 2.b.(i) within 180 days of the entry into force of this Protocol.
- b. shall provide to the Agency, by 15 May of each year, updates of the information referred to in paragraph a. above for the period covering the previous calendar year. If there has been no change to the information previously provided, shall so indicate.
- c. shall provide to the Agency, by 15 May of each year, the information identified in Article 2.a.(vi)(b) and (c) for the period covering the previous calendar year.
- d. shall provide to the Agency on a quarterly basis the information identified in Article 2.a.(ix)(a). This information shall be provided within sixty days of the end of each quarter.
- e. shall provide to the Agency the information identified in Article 2.a.(viii) 180 days before further processing is carried out and, by 15 May of each year, information on changes in location for the period covering the previous calendar year.
- f. and the Agency shall agree on the timing and frequency of the provision of the information identified in Article 2.a.(ii).
- g. shall provide to the Agency the information in Article 2.a.(ix)(b) within sixty days of the Agency's request.

COMPLEMENTARY ACCESS

Article 4

The following shall apply in connection with the implementation of complementary access under Article 5 of this Protocol:

- a. The Agency shall not mechanistically or systematically seek to verify the information referred to in Article 2; however, the Agency shall have access to:

- (i) Any location referred to in Article 5.a.(i) or (ii) on a selective basis in order to assure the absence of undeclared *nuclear material* and activities;
 - (ii) Any location referred to in Article 5.b. or c. to resolve a question relating to the correctness and completeness of the information provided pursuant to Article 2 or to resolve an inconsistency relating to that information;
 - (iii) Any location referred to in Article 5.a.(iii) to the extent necessary for the Agency to confirm, for safeguards purposes,s declaration of the decommissioned status of a *facility* or of a *location outside facilities* where *nuclear material* was customarily used.
- b. (i) Except as provided in paragraph (ii) below, the Agency shall give advance notice of access of at least 24 hours;
- (ii) For access to any place on a *site* that is sought in conjunction with design information verification visits or ad hoc or routine inspections on that *site*, the period of advance notice shall, if the Agency so requests, be at least two hours but, in exceptional circumstances, it may be less than two hours.
- c. Advance notice shall be in writing and shall specify the reasons for access and the activities to be carried out during such access.
- d. In the case of a question or inconsistency, the Agency shall provide with an opportunity to clarify and facilitate the resolution of the question or inconsistency. Such an opportunity will be provided before a request for access, unless the Agency considers that delay in access would prejudice the purpose for which the access is sought. In any event, the Agency shall not draw any conclusions about the question or inconsistency until has been provided with such an opportunity.
- e. Unless otherwise agreed to by, access shall only take place during regular working hours.
- f. shall have the right to have Agency inspectors accompanied during their access by representatives of, provided that the inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions.

Article 5

..... shall provide the Agency with access to:

- a.
 - (i) Any place on a *site*;
 - (ii) Any location identified by under Article 2.a.(v)-(viii);
 - (iii) Any *decommissioned facility or decommissioned location outside facilities* where *nuclear material* was customarily used.
- b. Any location identified by under Article 2.a.(i), Article 2.a.(iv), Article 2.a.(ix)(b) or Article 2.b, other than those referred to in paragraph a.(i) above, provided that if is unable to provide such access, shall make every reasonable effort to satisfy Agency requirements, without delay, through other means.
- c. Any location specified by the Agency, other than locations referred to in paragraphs a. and b. above, to carry out *location-specific environmental sampling*, provided that if is unable to provide such access, shall make every reasonable effort to satisfy Agency requirements, without delay, at adjacent locations or through other means.

Article 6

When implementing Article 5, the Agency may carry out the following activities:

- a. For access in accordance with Article 5.a.(i) or (iii): visual observation; collection of environmental samples; utilization of radiation detection and measurement devices; application of seals and other identifying and tamper indicating devices specified in Subsidiary Arrangements; and other objective measures which have been demonstrated to be technically feasible and the use of which has been agreed by the Board of Governors (hereinafter referred to as the "Board") and following consultations between the Agency and
- b. For access in accordance with Article 5.a.(ii): visual observation; item counting of *nuclear material*; non-destructive measurements and sampling; utilization of radiation detection and measurement devices; examination of records relevant to the quantities, origin and disposition of the material; collection of environmental samples; and other objective measures which have been demonstrated to be technically feasible and the

use of which has been agreed by the Board and following consultations between the Agency and

- c. For access in accordance with Article 5.b.: visual observation; collection of environmental samples; utilization of radiation detection and measurement devices; examination of safeguards relevant production and shipping records; and other objective measures which have been demonstrated to be technically feasible and the use of which has been agreed by the Board and following consultations between the Agency and
- d. For access in accordance with Article 5.c.: collection of environmental samples and, in the event the results do not resolve the question or inconsistency at the location specified by the Agency pursuant to Article 5.c., utilization at that location of visual observation, radiation detection and measurement devices, and, as agreed by and the Agency, other objective measures.

Article 7

- a. Upon request by, the Agency and shall make arrangements for managed access under this Protocol in order to prevent the dissemination of proliferation sensitive information, to meet safety or physical protection requirements, or to protect proprietary or commercially sensitive information. Such arrangements shall not preclude the Agency from conducting activities necessary to provide credible assurance of the absence of undeclared *nuclear material* and activities at the location in question, including the resolution of a question relating to the correctness and completeness of the information referred to in Article 2 or of an inconsistency relating to that information.
- b. may, when providing the information referred to in Article 2, inform the Agency of the places at a *site* or location at which managed access may be applicable.
- c. Pending the entry into force of any necessary Subsidiary Arrangements, may have recourse to managed access consistent with the provisions of paragraph a. above.

Article 8

Nothing in this Protocol shall preclude from offering the Agency access to locations in addition to those referred to in Articles 5 and 9 or from requesting the Agency to conduct verification activities at a particular location. The Agency shall, without delay, make every reasonable effort to act upon such a request.

Article 9

..... shall provide the Agency with access to locations specified by the Agency to carry out *wide-area environmental sampling*, provided that if is unable to provide such access it shall make every reasonable effort to satisfy Agency requirements at alternative locations. The Agency shall not seek such access until the use of *wide-area environmental sampling* and the procedural arrangements therefor have been approved by the Board and following consultations between the Agency and

Article 10

The Agency shall inform of:

- a. The activities carried out under this Protocol, including those in respect of any questions or inconsistencies the Agency had brought to the attention of, within sixty days of the activities being carried out by the Agency.
- b. The results of activities in respect of any questions or inconsistencies the Agency had brought to the attention of, as soon as possible but in any case within thirty days of the results being established by the Agency.
- c. The conclusions it has drawn from its activities under this Protocol. The conclusions shall be provided annually.

DESIGNATION OF AGENCY INSPECTORS

Article 11

- a. (i) The Director General shall notify of the Board's approval of any Agency official as a safeguards inspector. Unless

advises the Director General of its rejection of such an official as an inspector for within three months of receipt of notification of the Board's approval, the inspector so notified to shall be considered designated to ;

(ii) The Director General, acting in response to a request by or on his own initiative, shall immediately inform of the withdrawal of the designation of any official as an inspector for

b. A notification referred to in paragraph a. above shall be deemed to be received by seven days after the date of the transmission by registered mail of the notification by the Agency to

VISAS

Article 12

..... shall, within one month of the receipt of a request therefor, provide the designated inspector specified in the request with appropriate multiple entry/exit and/or transit visas, where required, to enable the inspector to enter and remain on the territory of for the purpose of carrying out his/her functions. Any visas required shall be valid for at least one year and shall be renewed, as required, to cover the duration of the inspector's designation to

SUBSIDIARY ARRANGEMENTS

Article 13

- a. Where or the Agency indicates that it is necessary to specify in Subsidiary Arrangements how measures laid down in this Protocol are to be applied, and the Agency shall agree on such Subsidiary Arrangements within ninety days of the entry into force of this Protocol or, where the indication of the need for such Subsidiary Arrangements is made after the entry into force of this Protocol, within ninety days of the date of such indication.
- b. Pending the entry into force of any necessary Subsidiary Arrangements, the Agency shall be entitled to apply the measures laid down in this Protocol.

COMMUNICATIONS SYSTEMS

Article 14

- a. shall permit and protect free communications by the Agency for official purposes between Agency inspectors in and Agency Headquarters and/or Regional Offices, including attended and unattended transmission of information generated by Agency containment and/or surveillance or measurement devices. The Agency shall have, in consultation with, the right to make use of internationally established systems of direct communications, including satellite systems and other forms of telecommunication, not in use in At the request of or the Agency, details of the implementation of this paragraph with respect to the attended or unattended transmission of information generated by Agency containment and/or surveillance or measurement devices shall be specified in the Subsidiary Arrangements.
- b. Communication and transmission of information as provided for in paragraph a. above shall take due account of the need to protect proprietary or commercially sensitive information or design information which regards as being of particular sensitivity.

PROTECTION OF CONFIDENTIAL INFORMATION

Article 15

- a. The Agency shall maintain a stringent regime to ensure effective protection against disclosure of commercial, technological and industrial secrets and other confidential information coming to its knowledge, including such information coming to the Agency's knowledge in the implementation of this Protocol.
- b. The regime referred to in paragraph a. above shall include, among others, provisions relating to:
 - (i) General principles and associated measures for the handling of confidential information;
 - (ii) Conditions of staff employment relating to the protection of confidential information;

- (iii) Procedures in cases of breaches or alleged breaches of confidentiality.
- c. The regime referred to in paragraph a. above shall be approved and periodically reviewed by the Board.

ANNEXES

Article 16

- a. The Annexes to this Protocol shall be an integral part thereof. Except for the purposes of amendment of the Annexes, the term "Protocol" as used in this instrument means the Protocol and the Annexes together.
- b. The list of activities specified in Annex I, and the list of equipment and material specified in Annex II, may be amended by the Board upon the advice of an open-ended working group of experts established by the Board. Any such amendment shall take effect four months after its adoption by the Board.

ENTRY INTO FORCE

Article 17

- a. This Protocol shall enter into force

on the date on which the Agency receives from written notification that³'s statutory and/or constitutional requirements for entry into force have been met.

OR³

upon signature by the representatives of and the Agency.

³ The choice of alternative depends on the preference of the State concerned according to its internal legal requirements.

- b. may, at any date before this Protocol enters into force, declare that it will apply this Protocol provisionally.
- c. The Director General shall promptly inform all Member States of the Agency of any declaration of provisional application of, and of the entry into force of, this Protocol.

DEFINITIONS

Article 18

For the purpose of this Protocol:

- a. *Nuclear fuel cycle-related research and development activities* means those activities which are specifically related to any process or system development aspect of any of the following:
 - conversion of *nuclear material*,
 - enrichment of *nuclear material*,
 - nuclear fuel fabrication,
 - reactors,
 - critical facilities,
 - reprocessing of nuclear fuel,
 - processing (not including repackaging or conditioning not involving the separation of elements, for storage or disposal) of intermediate or high-level waste containing plutonium, *high enriched uranium* or uranium-233,

but do not include activities related to theoretical or basic scientific research or to research and development on industrial radioisotope applications, medical, hydrological and agricultural applications, health and environmental effects and improved maintenance.

- b. *Site* means that area delimited by in the relevant design information for a *facility*, including a *closed-down facility*, and in the relevant information on a *location outside facilities* where *nuclear material* is customarily used, including a *closed-down location outside facilities* where *nuclear material* was customarily used (this is limited to locations with hot cells or where activities related to conversion, enrichment, fuel fabrication or reprocessing were carried out). It shall also include all installations, co-located with the *facility* or location, for the provision or use of essential services, including: hot cells for processing irradiated materials not containing *nuclear material*; installations for the treatment, storage and disposal of waste; and buildings associated with specified activities identified by under Article 2.a.(iv) above.
- c. *Decommissioned facility* or *decommissioned location outside facilities* means an installation or location at which residual structures and equipment essential for its use have been removed or rendered inoperable so that it is not used to store and can no longer be used to handle, process or utilize *nuclear material*.
- d. *Closed-down facility* or *closed-down location outside facilities* means an installation or location where operations have been stopped and the *nuclear material* removed but which has not been decommissioned.
- e. *High enriched uranium* means uranium containing 20 percent or more of the isotope uranium-235.
- f. *Location-specific environmental sampling* means the collection of environmental samples (e.g., air, water, vegetation, soil, smears) at, and in the immediate vicinity of, a location specified by the Agency for the purpose of assisting the Agency to draw conclusions about the absence of undeclared *nuclear material* or nuclear activities at the specified location.
- g. *Wide-area environmental sampling* means the collection of environmental samples (e.g., air, water, vegetation, soil, smears) at a set of locations specified by the Agency for the purpose of assisting the Agency to draw conclusions about the absence of undeclared *nuclear material* or nuclear activities over a wide area.
- h. *Nuclear material* means any source or any special fissionable material as defined in Article XX of the Statute. The term source material shall not be interpreted as applying to ore or ore residue. Any determination by the

Board under Article XX of the Statute of the Agency after the entry into force of this Protocol which adds to the materials considered to be source material or special fissionable material shall have effect under this Protocol only upon acceptance by

- i. *Facility* means:
 - (i) A reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant or a separate storage installation; or
 - (ii) Any location where *nuclear material* in amounts greater than one effective kilogram is customarily used.

- j. *Location outside facilities* means any installation or location, which is not a *facility*, where *nuclear material* is customarily used in amounts of one effective kilogram or less.

ภาคผนวก ง

Paris Agreement

Information Circular

INFCIRC/637

Date: 26 November 2004

General Distribution

Original: English

Communication dated 26 November 2004 received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom concerning the agreement signed in Paris on 15 November 2004

The Director General has received a letter dated 26 November 2004 from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom, attaching the text of the agreement signed by the Governments of France, Germany, the United Kingdom of Great Britain and Northern Ireland with the support of the High Representative of the European Union, and the Islamic Republic of Iran, in Paris on 15 November 2004.

The letter and, as requested therein, the text of the agreement, is reproduced herewith for the information of Member States.

INFCIRC/637
Page 2

Permanent Mission of France
Permanent Mission of Germany
Permanent Mission of the Islamic Republic of Iran
Permanent Mission of the United Kingdom of Great Britain and Northern Ireland


Vienna, 26 November 2004

Excellency,

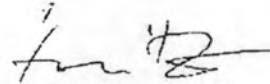
We have the honour to refer to the agreement that the Governments of France, Germany, the United Kingdom of Great Britain and Northern Ireland, with the support of the High Representative of the European Union, and the Islamic Republic of Iran signed on 15 November 2004.

We should like to request you to circulate the text of this agreement to all Member States as an Information Circular.

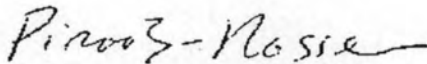
Please accept, Excellency, the assurances of our highest consideration.



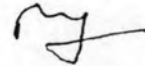
Patrick Villemur
Ambassador
Permanent Representative of France



Herbert Honsowitz
Ambassador
Permanent Representative of Germany



Pirooz Hosseini
Ambassador
Permanent Representative of the Islamic
Republic of Iran



Peter Jenkins
Ambassador
Permanent Representative of the United
Kingdom of Great Britain and Northern
Ireland

Dr. Mohamed ElBaradei
Director General
International Atomic Energy Agency

Agreement (Paris - 15th November 2004)

The Government of the Islamic Republic of Iran and the Governments of France, Germany and the United Kingdom, with the support of the High Representative of the European Union (E3/EU), reaffirm the commitments in the Tehran Agreed Statement of 21 October 2003 and have decided to move forward, building on that agreement.

The E3/EU and Iran reaffirm their commitment to the NPT.

The E3/EU recognise Iran's rights under the NPT exercised in conformity with its obligations under the Treaty, without discrimination.

Iran reaffirms that, in accordance with Article II of the NPT, it does not and will not seek to acquire nuclear weapons. It commits itself to full cooperation and transparency with the IAEA. Iran will continue implementing voluntarily the Additional Protocol pending ratification.

To build further confidence, Iran has decided, on a voluntary basis, to continue and extend its suspension to include all enrichment related and reprocessing activities, and specifically: the manufacture and import of gas centrifuges and their components; the assembly, installation, testing or operation of gas centrifuges; work to undertake any plutonium separation, or to construct or operate any plutonium separation installation; and all tests or production at any uranium conversion installation. The IAEA will be notified of this suspension and invited to verify and monitor it. The suspension will be implemented in time for the IAEA to confirm before the November Board that it has been put into effect. The suspension will be sustained while negotiations proceed on a mutually acceptable agreement on long-term arrangements.

The E3/EU recognize that this suspension is a voluntary confidence building measure and not a legal obligation.

Sustaining the suspension, while negotiations on a long-term agreement are under way, will be essential for the continuation of the overall process. In the context of this suspension, the E3/EU and Iran have agreed to begin negotiations, with a view to reaching a mutually acceptable agreement on long term arrangements. The agreement will provide objective guarantees that Iran's nuclear programme is exclusively for peaceful purposes. It will equally provide firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues.

A steering committee will meet to launch these negotiations in the first half of December 2004 and will set up working groups on political and security issues, technology and cooperation, and nuclear issues. The steering committee shall meet again within three months to receive progress reports from the working groups and to move ahead with projects and/or measures that can be implemented in advance of an overall agreement.

In the context of the present agreement and noting the progress that has been made in resolving outstanding issues, the E3/EU will henceforth support the Director General reporting to the IAEA Board as he considers appropriate in the framework of the implementation of Iran's Safeguards Agreement and Additional Protocol.

The E3/EU will support the IAEA Director General inviting Iran to join the Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle.

Once suspension has been verified, the negotiations with the EU on a Trade and Cooperation Agreement will resume. The E3/EU will actively support the opening of Iranian accession negotiations at the WTO.

Irrespective of progress on the nuclear issue, the E3/EU and Iran confirm their determination to combat terrorism, including the activities of Al Qa'ida and other terrorist groups such as the MeK. They also confirm their continued support for the political process in Iraq aimed at establishing a constitutionally elected Government.

ภาคผนวก ๑

United Nations Security Council Resolution 1696

**Security Council**Distr.: General
31 July 2006

Resolution 1696 (2006)**Adopted by the Security Council at its 5500th meeting, on
31 July 2006**

The Security Council,

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006,

Reaffirming its commitment to the Treaty on the Non-proliferation of Nuclear Weapons, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Noting with serious concern the many reports of the IAEA Director General and resolutions of the IAEA Board of Governors related to Iran's nuclear programme, reported to it by the IAEA Director General, including IAEA Board resolution GOV/2006/14,

Noting with serious concern that the IAEA Director General's report of 27 February 2006 (GOV/2006/15) lists a number of outstanding issues and concerns on Iran's nuclear programme, including topics which could have a military nuclear dimension, and that the IAEA is unable to conclude that there are no undeclared nuclear materials or activities in Iran,

Noting with serious concern the IAEA Director General's report of 28 April 2006 (GOV/2006/27) and its findings, including that, after more than three years of Agency efforts to seek clarity about all aspects of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern, and that the IAEA is unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material and activities in Iran,

Noting with serious concern that, as confirmed by the IAEA Director General's report of 8 June 2006 (GOV/2006/38) Iran has not taken the steps required of it by the IAEA Board of Governors, reiterated by the Council in its statement of 29 March and which are essential to build confidence, and in particular Iran's decision to resume enrichment-related activities, including research and development, its recent expansion of and announcements about such activities, and its continued suspension of cooperation with the IAEA under the Additional Protocol,



Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes, and *noting* that such a solution would benefit nuclear non-proliferation elsewhere,

Welcoming the statement by the Foreign Minister of France, Philippe Douste-Blazy, on behalf of the Foreign Ministers of China, France, Germany, the Russian Federation, the United Kingdom, the United States and the High Representative of the European Union, in Paris on 12 July 2006 (S/2006/573),

Concerned by the proliferation risks presented by the Iranian nuclear programme, *mindful* of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and *being determined* to prevent an aggravation of the situation,

Acting under Article 40 of Chapter VII of the Charter of the United Nations in order to make mandatory the suspension required by the IAEA,

1. *Calls upon* Iran without further delay to take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions;

2. *Demands*, in this context, that Iran shall suspend all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA;

3. *Expresses* the conviction that such suspension as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors, would contribute to a diplomatic, negotiated solution that guarantees Iran's nuclear programme is for exclusively peaceful purposes, *underlines* the willingness of the international community to work positively for such a solution, *encourages* Iran, in conforming to the above provisions, to re-engage with the international community and with the IAEA, and *stresses* that such engagement will be beneficial to Iran;

4. *Endorses*, in this regard, the proposals of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative, for a long-term comprehensive arrangement which would allow for the development of relations and cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme (S/2006/521);

5. *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to exercise vigilance and prevent the transfer of any items, materials, goods and technology that could contribute to Iran's enrichment-related and reprocessing activities and ballistic missile programmes;

6. *Expresses* its determination to reinforce the authority of the IAEA process, strongly supports the role of the IAEA Board of Governors, *commends and encourages* the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in Iran within the framework of the Agency, *underlines* the necessity of the IAEA continuing its work to clarify all outstanding issues relating to Iran's nuclear programme, and *calls upon* Iran to act in accordance with the provisions of the

Additional Protocol and to implement without delay all transparency measures as the IAEA may request in support of its ongoing investigations;

7. *Requests* by 31 August a report from the Director General of the IAEA primarily on whether Iran has established full and sustained suspension of all activities mentioned in this resolution, as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the above provisions of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

8. *Expresses* its intention, in the event that Iran has not by that date complied with this resolution, then to adopt appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and *underlines* that further decisions will be required should such additional measures be necessary;

9. *Confirms* that such additional measures will not be necessary in the event that Iran complies with this resolution;

10. *Decides* to remain seized of the matter.

ภาคผนวก ฉ

United Nations Security Council Resolution 1737

**Security Council**Distr.: General
27 December 2006

Resolution 1737 (2006)**Adopted by the Security Council at its 5612th meeting, on
23 December 2006***The Security Council,*

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Reiterating its serious concern over the many reports of the IAEA Director General and resolutions of the IAEA Board of Governors related to Iran's nuclear programme, reported to it by the IAEA Director General, including IAEA Board resolution GOV/2006/14,

Reiterating its serious concern that the IAEA Director General's report of 27 February 2006 (GOV/2006/15) lists a number of outstanding issues and concerns on Iran's nuclear programme, including topics which could have a military nuclear dimension, and that the IAEA is unable to conclude that there are no undeclared nuclear materials or activities in Iran,

Reiterating its serious concern over the IAEA Director General's report of 28 April 2006 (GOV/2006/27) and its findings, including that, after more than three years of Agency efforts to seek clarity about all aspects of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern, and that the IAEA is unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material and activities in Iran,

Noting with serious concern that, as confirmed by the IAEA Director General's reports of 8 June 2006 (GOV/2006/38), 31 August 2006 (GOV/2006/53) and 14 November 2006 (GOV/2006/64), Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities as set out in resolution 1696 (2006), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required of it by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution

* Reissued for technical reasons.



1696 (2006) and which are essential to build confidence, and *deploring* Iran's refusal to take these steps,

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that Iran's nuclear programme is exclusively for peaceful purposes, and *noting* that such a solution would benefit nuclear non-proliferation elsewhere, and *welcoming* the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative to seek a negotiated solution,

Determined to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of this resolution have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolution 1696 (2006), *mindful* of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Affirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions;

2. *Decides*, in this context, that Iran shall without further delay suspend the following proliferation sensitive nuclear activities:

(a) all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA; and

(b) work on all heavy water-related projects, including the construction of a research reactor moderated by heavy water, also to be verified by the IAEA;

3. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of all items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

(a) those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part I in document S/2006/814;

(b) those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part I in document S/2006/814, except the supply, sale or transfer of:

(i) equipment covered by B.1 when such equipment is for light water reactors;

(ii) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

(c) those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;

(d) any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established by paragraph 18 below (herein "the Committee"), which could contribute to enrichment-related, or reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems;

4. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of the following items, materials, equipment, goods and technology:

(a) those set out in INFCIRC/254/Rev.7/Part2 of document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

(b) any other items not listed in documents S/2006/814 or S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

(c) any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding;

5. *Decides* that, for the supply, sale or transfer of all items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815 the export of which to Iran is not prohibited by subparagraphs 3 (b), 3 (c) or 4 (a) above, States shall ensure that:

(a) the requirements, as appropriate, of the Guidelines as set out in documents S/2006/814 and S/2006/985 have been met; and

(b) they have obtained and are in a position to exercise effectively a right to verify the end-use and end-use location of any supplied item; and

(c) they notify the Committee within ten days of the supply, sale or transfer; and

(d) in the case of items, materials, equipment, goods and technology contained in document S/2006/814, they also notify the IAEA within ten days of the supply, sale or transfer;

6. *Decides* that all States shall also take the necessary measures to prevent the provision to Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology specified in paragraphs 3 and 4 above;

7. *Decides* that Iran shall not export any of the items in documents S/2006/814 and S/2006/815 and that all Member States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran;

8. *Decides* that Iran shall provide such access and cooperation as the IAEA requests to be able to verify the suspension outlined in paragraph 2 and to resolve all outstanding issues, as identified in IAEA reports, and *calls upon* Iran to ratify promptly the Additional Protocol;

9. *Decides* that the measures imposed by paragraphs 3, 4 and 6 above shall not apply where the Committee determines in advance and on a case-by-case basis that such supply, sale, transfer or provision of such items or assistance would clearly not contribute to the development of Iran's technologies in support of its proliferation sensitive nuclear activities and of development of nuclear weapon delivery systems, including where such items or assistance are for food, agricultural, medical or other humanitarian purposes, provided that:

(a) contracts for delivery of such items or assistance include appropriate end-user guarantees; and

(b) Iran has committed not to use such items in proliferation sensitive nuclear activities or for development of nuclear weapon delivery systems;

10. *Calls upon* all States to exercise vigilance regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and *decides* in this regard that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the Annex to this resolution (herein "the Annex"), as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities and for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 above, except where such travel is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) above;

11. *Underlines* that nothing in the above paragraph requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations as well as the necessity to meet the objectives of this resolution, including where Article XV of the IAEA Statute is engaged;

12. *Decides* that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the Annex, as well as those of additional persons or entities designated by the Security Council or by the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such

time as, the Security Council or the Committee removes them from the Annex, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of these persons and entities;

13. *Decides* that the measures imposed by paragraph 12 above do not apply to funds, other financial assets or economic resources that have been determined by relevant States:

(a) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee;

(c) to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraphs 10 and 12 above, and has been notified by the relevant States to the Committee;

(d) to be necessary for activities directly related to the items specified in subparagraphs 3 (b) (i) and (ii) and have been notified by the relevant States to the Committee;

14. *Decides* that States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 12 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

15. *Decides* that the measures in paragraph 12 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that:

(a) the contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in paragraphs 3, 4 and 6 above;

(b) the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 12 above;

and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, ten working days prior to such authorization;

16. *Decides* that technical cooperation provided to Iran by the IAEA or under its auspices shall only be for food, agricultural, medical, safety or other humanitarian purposes, or where it is necessary for projects directly related to the items specified in subparagraphs 3 (b) (i) and (ii) above, but that no such technical cooperation shall be provided that relates to the proliferation sensitive nuclear activities set out in paragraph 2 above;

17. *Calls upon* all States to exercise vigilance and prevent specialized teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to Iran's proliferation sensitive nuclear activities and development of nuclear weapon delivery systems;

18. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(a) to seek from all States, in particular those in the region and those producing the items, materials, equipment, goods and technology referred to in paragraphs 3 and 4 above, information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution and whatever further information it may consider useful in this regard;

(b) to seek from the secretariat of the IAEA information regarding the actions taken by the IAEA to implement effectively the measures imposed by paragraph 16 of this resolution and whatever further information it may consider useful in this regard;

(c) to examine and take appropriate action on information regarding alleged violations of measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 of this resolution;

(d) to consider and decide upon requests for exemptions set out in paragraphs 9, 13 and 15 above;

(e) to determine as may be necessary additional items, materials, equipment, goods and technology to be specified for the purpose of paragraph 3 above;

(f) to designate as may be necessary additional individuals and entities subject to the measures imposed by paragraphs 10 and 12 above;

(g) to promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by this resolution and include in such guidelines a requirement on States to provide information where possible as to why any individuals and/or entities meet the criteria set out in paragraphs 10 and 12 and any relevant identifying information;

(h) to report at least every 90 days to the Security Council on its work and on the implementation of this resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above;

19. *Decides* that all States shall report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 above;

20. *Expresses* the conviction that the suspension set out in paragraph 2 above as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors, would contribute to a diplomatic, negotiated solution that guarantees Iran's nuclear programme is for exclusively peaceful purposes, *underlines* the willingness of the international community to work positively for such a solution, *encourages* Iran, in conforming to the above provisions, to re-engage with the international community and with the IAEA, and *stresses* that such engagement will be beneficial to Iran;

21. *Welcomes* the commitment of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the support of the European Union's High Representative, to a negotiated solution to this issue and encourages Iran to engage with their June 2006 proposals (S/2006/521), which were endorsed by the Security Council in resolution 1696 (2006), for a long-term comprehensive agreement which would allow for the development of relations and cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme;

22. *Reiterates* its determination to reinforce the authority of the IAEA, strongly supports the role of the IAEA Board of Governors, *commends* and *encourages* the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in Iran within the framework of the IAEA, *underlines* the necessity of the IAEA continuing its work to clarify all outstanding issues relating to Iran's nuclear programme;

23. *Requests* within 60 days a report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in this resolution, as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

24. *Affirms* that it shall review Iran's actions in the light of the report referred to in paragraph 23 above, to be submitted within 60 days, and:

(a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations;

(b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7, 10 and 12 of this resolution as soon as it determines that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

(c) that it shall, in the event that the report in paragraph 23 above shows that Iran has not complied with this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with this resolution and the requirements of the IAEA, and *underlines* that further decisions will be required should such additional measures be necessary;

25. *Decides* to remain seized of the matter.

Annex**A. Entities involved in the nuclear programme**

1. Atomic Energy Organisation of Iran
2. Mesbah Energy Company (provider for A40 research reactor — Arak)
3. Kala-Electric (aka Kalaye Electric) (provider for PFEP — Natanz)
4. Pars Trash Company (involved in centrifuge programme, identified in IAEA reports)
5. Farayand Technique (involved in centrifuge programme, identified in IAEA reports)
6. Defence Industries Organisation (overarching MODAFL-controlled entity, some of whose subordinates have been involved in the centrifuge programme making components, and in the missile programme)
7. 7th of Tir (subordinate of DIO, widely recognized as being directly involved in the nuclear programme)

B. Entities involved in the ballistic missile programme

1. Shahid Hemmat Industrial Group (SHIG) (subordinate entity of AIO)
2. Shahid Bagheri Industrial Group (SBIG) (subordinate entity of AIO)
3. Fajr Industrial Group (formerly Instrumentation Factory Plant, subordinate entity of AIO)

C. Persons involved in the nuclear programme

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Behman Asgarpour, Operational Manager (Arak)
3. Dawood Agha-Jani, Head of the PFEP (Natanz)
4. Ehsan Monajemi, Construction Project Manager, Natanz
5. Jafar Mohammadi, Technical Adviser to the AEOI (in charge of managing the production of valves for centrifuges)
6. Ali Hajinia Leilabadi, Director General of Mesbah Energy Company
7. Lt Gen Mohammad Mehdi Nejad Nouri, Rector of Malek Ashtar University of Defence Technology (chemistry dept, affiliated to MODALF, has conducted experiments on beryllium)

D. Persons involved in the ballistic missile programme

1. Gen Hosein Salimi, Commander of the Air Force, IRGC (Pasdaran)
2. Ahmad Vahid Dastjerdi, Head of the AIO

3. Reza-Gholi Esmaeli, Head of Trade & International Affairs Dept, AIO
4. Bahmanyar Morteza Bahmanyar, Head of Finance & Budget Dept, AIO

E. Persons involved in both the nuclear and ballistic missile programmes

1. Maj Gen Yahya Rahim Safavi, Commander, IRGC (Pasdaran)
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NPT Membership

NPT MEMBERSHIP

APPENDIX II

Treaty on the Non-Proliferation of Nuclear Weapons

COUNTRY	Date <i>Signature</i>	Deposited <i>Ratification</i>	Accession/ <i>Succession</i>
Afghanistan	01 Jul 68	04 Feb 70	
Albania			12 Sep 90
Algeria			12 Jan 95
Andorra			07 Jun 96
Angola			14 Oct 96
Antigua and Barbuda			17 Jun 85
Argentina			10 Feb 95
Armenia			15 Aug 93
Australia	27 Feb 70	23 Jan 73	
Austria	01 Jul 68	27 Jun 69	
Azerbaijan			22 Sep 92
Bahamas			11 Aug 76
Bahrain			03 Nov 88
Bangladesh			31 Aug 79
Barbados	01 Jul 68	21 Feb 80	
Belarus			22 Jul 93
Belgium	20 Aug 68	02 May 75	
Belize			09 Aug 85
Benin	01 Jul 68	31 Oct 72	
Bhutan			23 May 85
Bolivia	01 Jul 68	26 May 70	
Bosnia and Herzegovina			15 Aug 94
Botswana	01 Jul 68	28 Apr 69	
Brazil		13 Jul 98	
Brunei Darussalam			26 Mar 85
Bulgaria	01 Jul 68	05 Sep 69	
Burkina Faso	25 Nov 68	03 Mar 70	
Burundi			19 Mar 71
Cambodia			02 Jun 72
Cameroon	17 Jul 68	08 Jan 69	
Canada	23 Jul 68	08 Jan 69	
Cape Verde			24 Oct 79
Central African Republic			25 Oct 70
Chad	01 Jul 68	10 Mar 71	
Chile			25 May 95
China			09 Mar 92
Colombia	01 Jul 68	08 Apr 86	
Comoros			04 Oct 95
Congo			23 Oct 78
Congo (Democratic Republic of)	22 Jul 68	04 Aug 70	
Cook Islands			
Costa Rica	01 Jul 68	03 Mar 70	
Cote d'Ivoire	01 Jul 68	06 Mar 73	
Croatia			29 Jun 92

NPT MEMBERSHIP

COUNTRY	Date Signature	Deposited Ratification	Accession/ Succession
Cuba			04 Nov 02
Cyprus	01 Jul 68	10 Feb 70	
Czech Republic	01 Jul 68		01 Jan 93
Denmark	01 Jul 68	03 Jan 69	
Djibouti			16 Oct 96
Dominica			10 Aug 84
Dominican Republic	01 Jul 68	24 Jul 71	
Ecuador	09 Jul 68	07 Mar 69	
Egypt	01 Jul 68	26 Feb 81	
El Salvador	01 Jul 68	11 Jul 72	
Equatorial Guinea			01 Nov 84
Eritrea			16 Mar 95
Estonia			07 Jan 92
Ethiopia	05 Sep 68	05 Feb 70	
Fiji			14 Jul 72
Finland	01 Jul 68	05 Feb 69	
France			03 Aug 92
Gabon			19 Feb 74
Gambia	04 Sep 68	12 May 75	
Georgia			07 Mar 94
Germany	28 Nov 69	02 May 75	
Ghana	01 Jul 68	04 May 70	
Greece	01 Jul 68	11 Mar 70	
Grenada			02 Sep 75
Guatemala	26 Jul 68	22 Sep 70	
Guinea			29 Apr 85
Guinea-Bissau			20 Aug 76
Guyana			19 Oct 93
Haiti	01 Jul 68	02 Jun 70	
Holy See			25 Feb 71
Honduras	01 Jul 68	16 May 73	
Hungary	01 Jul 68	27 May 69	
Iceland	01 Jul 68	18 Jul 69	
India			
Indonesia	02 Mar 70	12 Jul 79	
Iran (Islamic Republic of)	01 Jul 68	02 Feb 70	
Iraq	01 Jul 68	29 Oct 69	
Ireland	01 Jul 68	01 Jul 68	
Israel			
Italy	28 Jan 69	02 May 75	
Jamaica	14 Apr 69	05 Mar 70	
Japan	03 Feb 70	08 Jun 76	
Jordan	10 Jul 68	11 Feb 70	
Kazakhstan			14 Feb 94
Kenya	01 Jul 68	11 Jun 70	
Kiribati			18 Mar 85
Korea (Democratic People's Republic of) ¹			12 Dec 85
Korea (Republic of)	01 Jul 68	23 Apr 75	
Kuwait	15 Aug 68	17 Nov 89	
Kyrgyzstan			05 Jul 94
Lao (People's Democratic Republic of)	01 Jul 68	20 Feb 70	

NPT MEMBERSHIP

COUNTRY	Date Signature	Deposited Ratification	Accession/ Succession
Latvia			31 Jan 92
Lebanon	01 Jul 68	15 Jul 70	
Lesotho	09 Jul 68	20 May 70	
Liberia	01 Jul 68	05 Mar 70	
Libyan (Arab Jemahiriya)	18 Jul 68	26 May 75	
Liechtenstein			20 Apr 78
Lithuania			23 Sep 91
Luxembourg	14 Aug 68	02 May 75	
Macedonia (Former Yugoslav Republic of)			12 Apr 95
Madagascar	22 Aug 68	08 Oct 70	
Malawi			18 Feb 86
Malaysia	01 Jul 68	05 Mar 70	
Maldives	11 Sep 68	07 Apr 70	
Mali	14 Jul 69	10 Feb 70	
Malta	17 Apr 69	06 Feb 70	
Marshall Islands			30 Jan 95
Mauritania			26 Oct 93
Mauritius	01 Jul 68	08 Apr 69	
Mexico	26 Jul 68	21 Jan 69	
Micronesia (Federated States of)			14 Apr 95
Moldova			11 Oct 94
Monaco			13 Mar 95
Mongolia	01 Jul 68	14 May 69	
Morocco	01 Jul 68	27 Nov 70	
Mozambique			04 Sep 90
Myanmar			02 Dec 92
Namibia			02 Oct 92
Nauru			07 Jun 82
Nepal	01 Jul 68	05 Jan 70	
Netherlands	20 Aug 68	02 May 75	
New Zealand	01 Jul 68	10 Sep 69	
Nicaragua	01 Jul 68	06 Mar 73	
Niger			09 Oct 92
Nigeria	01 Jul 68	27 Sep 68	
Norway	01 Jul 68	05 Feb 69	
Oman			23 Jan 97
Pakistan			
Palau			14 Apr 95
Panama	01 Jul 68	13 Jan 77	
Papua New Guinea			13 Jan 82
Paraguay	01 Jul 68	04 Feb 70	
Peru	01 Jul 68	03 Mar 70	
Philippines	01 Jul 68	05 Oct 72	
Poland	01 Jul 68	12 Jun 69	
Portugal			15 Dec 77
Qatar			03 Apr 89
Romania	01 Jul 68	04 Feb 70	
Russian Federation	01 Jul 68	05 Mar 70	
Rwanda			20 May 75
Saint Kitts and Nevis			22 Mar 93
Saint Lucia			28 Dec 79

NPT MEMBERSHIP

COUNTRY	Date Signature	Deposited Ratification	Accession/ Succession
Saint Vincent/Grenadines			06 Nov 84
San Marino	01 Jul 68	10 Aug 70	
Sao Tome and Principe			20 Jul 83
Saudi Arabia			03 Oct 88
Senegal	01 Jul 68	17 Dec 70	
Serbia and Montenegro	10 Jul 68	04 Mar 70	
Seychelles			12 Mar 85
Sierra Leone			26 Feb 75
Singapore	05 Feb 70	10 Mar 76	
Slovakia			01 Jan 93
Slovenia			07 Apr 92
Solomon Islands			17 Jun 81
Somalia	01 Jul 68	05 Mar 70	
South Africa			10 Jul 91
Spain			05 Nov 87
Sri Lanka	01 Jul 68	05 Mar 79	
Sudan	24 Dec 68	31 Oct 73	
Suriname			30 Jun 76
Swaziland	24 Jun 69	11 Dec 69	
Sweden	19 Aug 68	09 Jan 70	
Switzerland	27 Nov 69	09 Mar 77	
Syrian Arab Republic	01 Jul 68	24 Sep 69	
Tajikistan			17 Jan 94
Thailand			02 Dec 72
Timor-Leste			05 May 03
Togo	01 Jul 68	26 Feb 70	
Tonga			07 Jul 71
Trinidad and Tobago	20 Aug 68	30 Oct 86	
Tunisia	01 Jul 68	26 Feb 70	
Turkey	28 Jan 69	17 Apr 80	
Turkmenistan			29 Sep 94
Tuvalu			19 Jan 79
Uganda			20 Oct 82
Ukraine			05 Dec 94
United Arab Emirates			26 Sep 95
United Kingdom	01 Jul 68	27 Nov 68	
United Republic of Tanzania			31 May 91
United States	01 Jul 68	05 Mar 70	
Uruguay	01 Jul 68	31 Aug 70	
Uzbekistan			02 May 92
Vanuatu			24 Aug 95
Venezuela	01 Jul 68	25 Sep 75	
Viet Nam			14 Jun 82
Western Samoa			17 Mar 75
Yemen	23 Sep 68	14 May 86	
Zambia			15 May 91
Zimbabwe			26 Sep 91
Membership Totals:		188²	
Updated: 05/27/2003			

NPT MEMBERSHIP

Key:

Accession: becoming party to the agreement after it has already entered into force.

Ratification: fulfilling and implementing domestic legislative legal practices to bring about the legal application of the Treaty on the government and other entities to which the Treaty is applicable, such as formal approval by parliament or legislative bodies, and formally declaring the Treaty to be applicable on the State Party, and duly depositing with the depositary the required legal instrument of ratification.

Signature: competent authority or representative of a State has affixed its signature to a Treaty text thus indicating acceptance of the Treaty and a commitment not to undertake any actions that would undermine the purpose of the Treaty, according to the Vienna Convention on the Law of treaties, pending formal ratification.

Succession: when an original or previous State Party ceases to exist and is succeeded by another State or legal entity that formally accepts and takes on the international legal obligations of the former party.

¹ The DPRK announced its withdrawal from the NPT on January 10, 2003, stating then that its withdrawal “will come into force automatically and immediately” on the next day. The North Korean government claimed that it had suspended its 1994 withdrawal from the treaty on the last day of the required three-month notice period and thus did not need to give a further notice to other NPT parties and Security Council as required under Article X of the treaty. Although no statement to this effect has been issued by the NPT State Parties, the generally held view is that North Korea’s withdrawal came into effect on 10 April 2003 when its three-month notice of withdrawal expired.

² This number includes the DPRK (see footnote above).

ภาคผนวก ซ**Safeguards Current Status**

SAFEGUARDS CURRENT STATUS

Status with regard to the conclusion of safeguards agreements, additional protocols^{a,b}
and small quantities protocols^c
(as of 31 January 2007)

338

State	SQP ^c	Status of Safeguards Agreement(s)	INFCIRC	Additional Protocol Status
Afghanistan	X	In force: 20 February 1978	257	In force: 19 July 2005
Albania ^d		In force: 12 Sept. 1990	359	Signed: 2 December 2004
Algeria		In force: 7 January 1997	531	Approved: 14 Sept. 2004
Andorra	X	<i>Signed: 9 January 2001</i>		<i>Signed: 9 January 2001</i>
Angola				
Antigua and Barbuda ^f	X	In force: 9 Sept. 1996	528	
Argentina ^f		In force: 4 March 1994	435/Mod.1	
Armenia		In force: 5 May 1994	455	In force: 28 June 2004
Australia		In force: 10 July 1974	217	In force: 12 December 1997
Austria ^g		Accession: 31 July 1996	193	In force: 30 April 2004
Azerbaijan	Amended: 20 November 2006	In force: 29 April 1999	580	In force: 29 November 2000
Bahamas ^e	X	In force: 12 Sept. 1997	544	
Bahrain				
Bangladesh		In force: 11 June 1982	301	In force: 30 March 2001
Barbados ^f	X	In force: 14 August 1996	527	
Belarus		In force: 2 August 1995	495	Signed: 15 November 2005
Belgium		In force: 21 February 1977	193	In force: 30 April 2004
Belize ^m	X	In force: 21 January 1997	532	
Benin	X	<i>Signed: 7 June 2005</i>		<i>Signed: 7 June 2005</i>
Bhutan	X	In force: 24 October 1989	371	
Bolivia ^e	X	In force: 6 February 1995	465	
Bosnia and Herzegovina ^h		In force: 28 December 1973	204	
Botswana		In force: 24 August 2006		In force: 24 August 2006
Brazil ⁱ		In force: 4 March 1994	435	
Brunei Darussalam	X	In force: 4 November 1987	365	
Bulgaria		In force: 29 February 1972	178	In force: 10 October 2000
Burkina Faso	X	In force: 17 April 2003	618	In force: 17 April 2003
Burundi				
Cambodia	X	In force: 17 December 1999	586	
Cameroon	X	In force: 17 December 2004	641	Signed: 16 December 2004
Canada		In force: 21 February 1972	164	In force: 8 September 2000
Cape Verde	Amended: 27 March 2006	<i>Signed: 28 June 2005</i>		<i>Signed: 28 June 2005</i>
Central African Republic	Approved: 7 March 2006	<i>Approved: 7 March 2006</i>		<i>Approved: 7 March 2006</i>
Chad				
Chile ^j		In force: 5 April 1995	476	In force: 3 November 2003
China		In force: 18 September 1989	369*	In force: 28 March 2002
Colombia ⁱ		In force: 22 December 1982	306	Signed: 11 May 2005
Comoros	Signed: 13 December 2005	<i>Signed: 13 December 2005</i>		<i>Signed: 13 December 2005</i>
Congo, Republic of the				
Costa Rica ^e	Amended: 12 January 2007	In force: 22 November 1979	278	Signed: 12 December 2001
Côte d'Ivoire		In force: 8 September 1983	309	
Croatia	X	In force: 19 January 1995	463	In force: 6 July 2000
Cuba ^e		In force 3 June 2004	633	In force: 3 June 2004
Cyprus	X	In force: 26 January 1973	189	In force: 19 February 2003
Czech Republic ^k		In force: 11 September 1997	541	In force: 1 July 2002
Democratic People's Republic of Korea		In force: 10 April 1992	403	
Democratic Republic of the Congo		In force: 9 November 1972	183	In force: 9 April 2003
Denmark ^l		In force: 21 February 1977	193	In force 30 April 2004
Djibouti				
Dominica ^m	X	In force: 3 May 1996	513	
Dominican Republic ^e	Amended: 11 October 2006	In force: 11 October 1973	201	Approved: 23 November 2006
Ecuador ^e	Amended: 7 April 2006	In force: 10 March 1975	231	In force: 24 October 2001
Egypt		In force: 30 June 1982	302	
El Salvador ^e	X	In force: 22 April 1975	232	In force: 24 May 2004
Equatorial Guinea	X	<i>Approved: 13 June 1986</i>		
Eritrea				
Estonia ^x		Accession: 1 December 2005	193	Accession: 1 December 2005
Ethiopia	X	In force: 2 December 1977	261	
Fiji	X	In force: 22 March 1973	192	In force: 14 July 2006
Finland ⁿ		Accession: 1 October 1995	193	In force: 30 April 2004
France		In force: 12 September 1981	290*	In force: 30 April 2004
	X	Signed: 26 September 2000 ⁿ		
Gabon	X	<i>Signed: 3 December 1979</i>		<i>Signed: 8 June 2005</i>

State	SQP ^c	Status of Safeguards Agreement(s)	INFCIRC	Additional Protocol Status
Gambia	X	In force: 8 August 1978	277	
Georgia		In force: 3 June 2003	617	In force: 3 June 2003
Germany ^p		In force: 21 February 1977	193	In force: 30 April 2004
Ghana		In force: 17 February 1975	226	In force: 11 June 2004
Greece ^q		Accession: 17 Dec. 1981	193	In force: 30 April 2004
Grenada ^c	X	In force: 23 July 1996	525	
Guatemala ^c	X	In force: 1 February 1982	299	Signed: 14 December 2001
Guinea				
Guinea-Bissau				
Guyana ^c	X	In force: 23 May 1997	543	
Haiti ^c	X	In force: 9 March 2006	681	In force: 9 March 2006
Holy See	Amended: 11 September 2006	In force: 1 August 1972	187	In force: 24 September 1998
Honduras ^c	X	In force: 18 April 1975	235	Signed: 7 July 2005
Hungary		In force: 30 March 1972	174	In force: 4 April 2000
Iceland	X	In force: 16 October 1974	215	In force: 12 Sept. 2003
India		In force: 30 September 1971	211	
		In force: 17 November 1977	260	
		In force: 27 September 1988	360	
		In force: 11 October 1989	374	
		In force: 1 March 1994	433	
Indonesia		In force: 14 July 1980	283	In force: 29 Sept. 1999
Iran, Islamic Republic of		In force: 15 May 1974	214	Signed: 18 December 2003
Iraq		In force: 29 February 1972	172	
Ireland		In force: 21 February 1977	193	In force: 30 April 2004
Israel		In force: 4 April 1975	249/Add.1	
Italy		In force: 21 February 1977	193	In force: 30 April 2004
Jamaica ^c	Rescinded: 15 December 2006	In force: 6 November 1978	265	In force: 19 March 2003
Japan		In force: 2 December 1977	255	In force: 16 December 1999
Jordan	X	In force: 21 February 1978	258	In force: 28 July 1998
Kazakhstan		In force: 11 August 1995	504	Signed: 6 February 2004
Kenya				
Kiribati	X	In force: 19 December 1990	390	Signed: 09 November 2004
Korea, Republic of		In force: 14 November 1975	236	In force: 19 February 2004
Kuwait	X	In force: 7 March 2002	607	In force: 2 June 2003
Kyrgyzstan	X	In force: 3 February 2004	629	Signed: 29 January 2007
Lao People's Democratic Republic	X	In force: 5 April 2001	599	
Latvia		In force: 21 December 1993	434	In force: 12 July 2001
Lebanon	X	In force: 5 March 1973	191	
Lesotho	X	In force: 12 June 1973	199	
Liberia				
Libyan Arab Jamahiriya		In force: 8 July 1980	282	In force: 11 August 2006
Liechtenstein		In force: 4 October 1979	275	Signed: 14 July 2006
Lithuania		In force: 15 October 1992	413	In force: 5 July 2000
Luxembourg		In force: 21 February 1977	193	In force: 30 April 2004
Madagascar	X	In force: 14 June 1973	200	In force: 18 Sept. 2003
Malawi	X	In force: 3 August 1992	409	Approved: 23 November 2006
Malaysia		In force: 29 February 1972	182	Signed: 22 November 2005
Maldives	X	In force: 2 October 1977	253	
Mali	Amended: 18 April 2006	In force: 12 September 2002	615	In force: 12 September 2002
Malta	X	In force: 13 November 1990	387	In force: 12 July 2005
Marshall Islands		In force: 3 May 2005	653	In force: 3 May 2005
Mauritania	X	Signed: 2 June 2003		Signed: 2 June 2003
Mauritius	X	In force: 31 January 1973	190	Signed: 9 December 2004
Mexico ^f		In force: 14 September 1973	197	Signed: 29 March 2004
Micronesia, Federated States of				
Monaco	X	In force: 13 June 1996	524	In force: 30 September 1999
Mongolia	X	In force: 5 September 1972	188	In force: 12 May 2003
Montenegro				
Morocco		In force: 18 February 1975	228	Signed: 22 September 2004
Mozambique				
Myanmar	X	In force: 20 April 1995	477	

State	SQP ^c	Status of Safeguards Agreement(s)	INFCIRC	Additional Protocol Status
Namibia	X	In force: 15 April 1998	551	Signed: 22 March 2000
Nauru	X	In force: 13 April 1984	317	
Nepal	X	In force: 22 June 1972	186	
Netherlands	X	In force: 5 June 1975	229 ^o	
New Zealand	X	In force: 21 February 1977	193	In force: 30 April 2004
Nicaragua ^c	X	In force: 29 February 1972	185	In force: 24 September 1998
Niger		In force: 29 December 1976	246	In force: 18 February 2005
Nigeria		In force: 16 February 2005	664	Signed: 11 June 2004
Norway		In force: 29 February 1988	358	Signed: 20 September 2001
Oman	X	In force: 1 March 1972	177	In force: 16 May 2000
Pakistan		In force: 5 September 2006	691	
		In force: 5 March 1962	34	
		In force: 17 June 1968	116	
		In force: 17 October 1969	135	
		In force: 18 March 1976	239	
		In force: 2 March 1977	248	
		In force: 10 September 1991	393	
		In force: 24 February 1993	418	
		Approved: 23 November 2006		
Palau	Amended: 15 March 2006	In force: 13 May 2005	650	In force: 13 May 2005
Panama ^l	X	In force: 23 March 1984	316	In force: 11 December 2001
Papua New Guinea	X	In force: 13 October 1983	312	
Paraguay ^c	X	In force: 20 March 1979	279	In force: 15 September 2004
Peru ^e		In force: 1 August 1979	273	In force: 23 July 2001
Philippines		In force: 16 October 1974	216	Signed: 30 September 1997
Poland		In force: 11 October 1972	179	In force: 5 May 2000
Portugal ^g		Accession: 1 July 1986	193	In force: 30 April 2004
<i>Qatar</i>				
Republic of Moldova	X	In force: 17 May 2006	690	Approved: 13 September 2006
Romania		In force: 27 October 1972	180	In force: 7 July 2000
Russian Federation		In force: 10 June 1985	327*	Signed: 22 March 2000
<i>Rwanda</i>				
Saint Kitts and Nevis ^m	X	In force: 7 May 1996	514	
Saint Lucia ^m	X	In force: 2 February 1990	379	
Saint Vincent and the Grenadines ^m	X	In force: 8 January 1992	400	
Samoa	X	In force: 22 January 1979	268	
San Marino	X	In force: 21 September 1998	575	
<i>Sao Tome and Principe</i>				
<i>Saudi Arabia</i>	X	<i>Signed: 16 June 2005</i>		
Senegal	X	In force: 14 January 1980	276	Signed: 15 December 2006
Serbia ^l		In force: 28 December 1973	204	Approved: 14 Sept. 2004
Seychelles	Amended: 31 October 2006	In force: 19 July 2004	635	In force: 13 October 2004
<i>Sierra Leone</i>	X	<i>Signed: 10 November 1977</i>		
Singapore	X	In force: 18 October 1977	259	Signed: 22 September 2005
Slovakia ^u		Accession: 1 Dec. 2005	193	Accession: 1 December 2005
Slovenia ^y		Accession: 1 September 2006	193	Accession: 1 September 2006
Solomon Islands	X	In force: 17 June 1993	420	
<i>Somalia</i>				
South Africa		In force: 16 Sept. 1991	394	In force: 13 September 2002
Spain		Accession: 5 April 1989	193	In force: 30 April 2004
Sri Lanka		In force: 6 August 1984	320	
Sudan	X	In force: 7 January 1977	245	
Suriname ^e	X	In force: 2 February 1979	269	
Swaziland	X	In force: 28 July 1975	227	
Sweden ^v		Accession: 1 June 1995	193	In force: 30 April 2004
Switzerland		In force: 6 September 1978	264	In force: 1 February 2005
Syrian Arab Republic		In force: 18 May 1992	407	
Tajikistan	Amended: 6 March 2006	In Force: 14 Dec. 2004	639	In Force: 14 December 2004
Thailand		In force: 16 May 1974	241	Signed: 22 September 2005
The Former Yugoslav Rep. of Macedonia	X	In force: 16 April 2002	610	Signed: 12 July 2005
<i>Timor-Leste</i>				

State	SQP ^c	Status of Safeguards Agreement(s)	INFCIRC	Additional Protocol Status
Togo	X	Signed: 29 November 1990		Signed: 26 September 2003
Tonga	X	In force: 18 November 1993	426	
Trinidad and Tobago ^e	X	In force: 4 November 1992	414	
Tunisia		In force: 13 March 1990	381	Signed: 24 May 2005
Turkey		In force: 1 September 1981	295	In force: 17 July 2001
Turkmenistan		In force: 3 January 2006	673	In force: 3 January 2006
Tuvalu	X	In force: 15 March 1991	391	
Uganda	X	In force: 14 February 2006	674	In force: 14 February 2006
Ukraine		In force: 22 January 1998	550	In force: 24 January 2006
United Arab Emirates	X	In force: 9 October 2003	622	
United Kingdom		In force: 14 December 1972	175 ^w	
		In force: 14 August 1978	263*	In force: 30 April 2004
	X	Approved: 16 September 1992 ^o		
United Republic of Tanzania	X	In force: 7 February 2005	643	In force: 7 February 2005
United States of America		In force: 9 December 1980	288*	Signed: 12 June 1998
	X	In force: 6 April 1989	366 ^o	
Uruguay ^f		In force: 17 September 1976	157	In force: 30 April 2004
Uzbekistan		In force: 8 October 1994	508	In force: 21 December 1998
Vanuatu				
Venezuela ^c		In force: 11 March 1982	300	
Vietnam		In force: 23 February 1990	376	
Yemen, Republic of	X	In force: 14 August 2002	614	
Zambia	X	In force: 22 September 1994	456	
Zimbabwe	X	In force: 26 June 1995	483	

Key

States: States not party to the NPT whose safeguards agreements are of INFCIRC/66-type (with the exception of Montenegro).

States: Non-nuclear-weapon States which are party to the NPT but have not brought into force a safeguards agreement pursuant to Article III of that Treaty.

*****: Voluntary offer safeguards agreement for NPT nuclear-weapon States.

^a This Annex does not aim at listing all safeguards agreements that the Agency has concluded. Not included are agreements whose application has been suspended in light of the application of safeguards pursuant to a comprehensive safeguards agreement. Unless otherwise indicated, the safeguards agreements referred to are comprehensive safeguards agreements concluded pursuant to the NPT.

^b The Agency also applies safeguards in Taiwan, China under two agreements, INFCIRC/133 and INFCIRC/158, which came into force on 13 October 1969 and 6 December 1971, respectively.

^c States that conclude comprehensive safeguards agreements, provided that they fulfil certain conditions (including that the quantities of nuclear material do not exceed the limits of paragraph 37 of INFCIRC/153), have the option to conclude a so-called "Small Quantity Protocol", thus holding in abeyance the implementation of most of the detailed provisions set out in Part II of a comprehensive safeguards agreement as long as these conditions continue to apply. This column contains countries whose SQPs have been approved by the Board and for which, as far as the Secretariat is aware, these conditions continue to apply. For those States that have accepted the modified standard SQP text, which was approved by the Board of Governors on 20 September 2005, the current status is reflected.

^d *Sui generis* comprehensive safeguards agreement. On 28 November 2002, upon approval by the Board of Governors, an exchange of letters entered into force confirming that the safeguards agreement satisfies the requirement of Article III of the NPT. (INFCIRC 359/Mod.1)

^e Safeguards agreement refers to both the Treaty of Tlatelolco and the NPT.

^f Date refers to the safeguards agreement concluded between Argentina, Brazil, ABACC and the Agency. On 18 March 1997, upon approval by the Board of Governors, an exchange of letters entered into force between Argentina and the Agency confirming that the safeguards agreement satisfies the requirements of Article 13 of the Treaty of Tlatelolco and Article III of the NPT to conclude a safeguards agreement with the Agency.

^g The application of safeguards in Austria under the NPT bilateral safeguards agreement INFCIRC/156, in force since 23 July 1972, was suspended on 31 July 1996, on which date the agreement of 5 April 1973 between the non-nuclear

weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Austria had acceded, entered into force for Austria.

^b The NPT safeguards agreement concluded with the Socialist Federal Republic of Yugoslavia (INFCIRC/204), which entered into force on 28 December 1973, continues to be applied in Bosnia and Herzegovina to the extent relevant to the territory of Bosnia and Herzegovina.

ⁱ Date refers to the safeguards agreement concluded between Argentina, Brazil, ABACC and the Agency. On 10 June 1997, upon approval by the Board of Governors, an exchange of letters entered into force between Brazil and the Agency confirming that the safeguards agreement satisfies the requirements of Article 13 of the Treaty of Tlatelolco. On 20 September 1999, upon approval by the Board of Governors, an exchange of letters entered into force confirming that the safeguards agreement also satisfies the requirements of Article III of the NPT.

^j Date refers to a safeguards agreement pursuant to Article 13 of the Treaty of Tlatelolco. Upon approval by the Board of Governors an exchange of letters entered into force (for Chile on 9 September 1996; for Colombia on 13 June 2001; for Panama on 21 November 2003) confirming that the safeguards agreement satisfies the requirement of Article III of the NPT.

^k The NPT safeguards agreement concluded with the Czechoslovak Socialist Republic (INFCIRC/173), which entered into force on 3 March 1972, continued to be applied in the Czech Republic to the extent relevant to the territory of the Czech Republic until 11 September 1997, on which date the NPT safeguards agreement concluded with the Czech Republic entered into force.

^l The application of safeguards in Denmark under the bilateral NPT safeguards agreement INFCIRC/176, in force since 1 March 1972, was suspended on 5 April 1973, on which date the agreement of 5 April 1973 (INFCIRC/193) between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), which Denmark had acceded, entered into force for Denmark. Since 1 May 1974, that agreement also applies to the Faroe Islands. Upon Greenland's secession from EURATOM as of 31 January 1985, the agreement between the Agency and Denmark (INFCIRC/176) re-entered into force for Greenland.

^m Date refers to a safeguards agreement pursuant to Article III of the NPT. Upon approval by the Board of Governors, an exchange of letters entered into force (for Saint Lucia on 12 June 1996 and for Belize, Dominica, Saint Kitts & Nevis and Saint Vincent & Grenadines on 18 March 1997) confirming that the safeguards agreement satisfies the requirement of Article 13 of the Treaty of Tlatelolco.

ⁿ The application of safeguards in Finland under the bilateral NPT safeguards agreement INFCIRC/155, in force since 9 February 1972, was suspended on 1 October 1995, on which date the agreement of 5 April 1973 (INFCIRC/193) between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency, to which Finland had acceded, entered into force for Finland.

^o The safeguards agreement referred to is pursuant to Additional Protocol I to the Treaty of Tlatelolco.

^p The NPT safeguards agreement of 7 March 1972 concluded with the German Democratic Republic (INFCIRC/181) is no longer in force with effect from 3 October 1990, on which date the German Democratic Republic acceded to the Federal Republic of Germany.

^q The application of safeguards in Greece under the NPT bilateral safeguards agreement INFCIRC/166, provisionally in force since 1 March 1972, was suspended on 17 December 1981, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Greece had acceded, entered into force for Greece.

^r The safeguards agreement referred to was concluded pursuant to both the Treaty of Tlatelolco and the NPT. The application of safeguards under an earlier safeguards agreement pursuant to the Treaty of Tlatelolco, which entered into force on 6 September 1968 (INFCIRC/118), was suspended as of 14 September 1973.

^s The safeguards agreement referred to is pursuant to Additional Protocol I to the Treaty of Tlatelolco.

^t The application of safeguards in Portugal under the bilateral NPT safeguards agreement INFCIRC/272, in force since 14 June 1979, was suspended on 1 July 1986, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Portugal had acceded, entered into force for Portugal.

^u The NPT safeguards agreement concluded with the Socialist Federal Republic of Yugoslavia (INFCIRC/204), which entered into force on 28 December 1973, continues to be applied in Serbia (formerly Serbia and Montenegro) to the extent relevant to the territory of Serbia.

^v The application of safeguards in Slovakia under the bilateral NPT safeguards agreement with the Czechoslovak Socialist Republic (INFCIRC 173), in force since 3 March 1972, was suspended on 1 December 2005, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Slovakia had acceded, entered into force for Slovakia.

^w The application of safeguards in Sweden under the NPT safeguards agreement INFCIRC/234, in force since 14 April 1975, was suspended on 1 June 1995, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Sweden had acceded, entered into force for Sweden.

^w Date refers to the INFCIRC/66-type safeguards agreement, concluded between the United Kingdom and the Agency, which remains in force.

^x The application of safeguards in Estonia under the NPT safeguards agreement INFCIRC/547, in force since 24 November 1997, was suspended on 1 December 2005, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Estonia had acceded, entered into force for Estonia.

^y The application of safeguards in Slovenia under the NPT safeguards agreement INFCIRC/538, in force since 1 August 1997, was suspended on 1 September 2006, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193) to which Slovenia had acceded, entered into force for Slovenia.

ประวัติผู้เขียนวิทยานิพนธ์

นางสาวจณัญญา ภิญาวัฒน์ เกิดวันที่ 30 มีนาคม พ.ศ. 2522 ที่กรุงเทพมหานคร สำเร็จการศึกษาระดับปริญญานิติศาสตรบัณฑิตจากคณะนิติศาสตร์ มหาวิทยาลัยธรรมศาสตร์ ในปีการศึกษา 2543 ได้รับประกาศนียบัตรหลักสูตรวิชาว่าความจากสำนักฝึกอบรมวิชาว่าความแห่ง สภานายความ รุ่นที่ 19 พ.ศ.2545 และเข้าศึกษาต่อในหลักสูตรนิติศาสตรมหาบัณฑิต สาขา นิติศาสตร์ แขนงวิชากฎหมายระหว่างประเทศ ที่คณะนิติศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย ในปี การศึกษา 2546