

AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF JAPAN FOR THE APPLICATION OF AGENCY SAFEGUARDS IN RESPECT OF THE BILATERAL AGREEMENT BETWEEN THOSE GOVERNMENTS FOR COOPERATION IN THE PEACEFUL USES OF ATOMIC ENERGY

WHEREAS the Government of Canada (hereinafter called "Canada") and the Government of Japan (hereinafter called "Japan") entered into an Agreement for Cooperation in the Peaceful Uses of Atomic Energy (hereinafter called the "Cooperation Agreement") supplemented by a Protocol and by Agreed Minutes, all of which were signed on 2 July 1959,⁽¹⁾ in which Agreement it is provided that it is the intention of the Governments to avail themselves of the safeguards facilities created by the International Atomic Energy Agency (hereinafter called the "Agency");

WHEREAS the Agency is prepared to assume the responsibility of administering safeguards in respect of bilateral arrangements between Member States in accordance with Article XII of its Statute and with its safeguards system set forth in Agency documents INFCIRC/66 (hereinafter called the "Safeguards Document") and GC(V)/INF/39, Annex (hereinafter called the "Inspectors Document"); and

WHEREAS Canada and Japan have requested the Agency to administer safeguards in respect of the Cooperation Agreement and the Board of Governors of the Agency (hereinafter called the "Board") has acceded to that request on 17 September 1965;

The Agency, Canada and Japan agree as follows:

ARTICLE I

Undertakings by the Governments and the Agency

SECTION 1. Japan undertakes in accordance with the Cooperation Agreement that it will not use in such a way as to further any military purpose any nuclear materials or reactors which are subject to the Cooperation Agreement and listed in the inventory, provided for in Section 11 (hereinafter referred to as the "Inventory"), for Japan.

SECTION 2. Canada undertakes in accordance with the Cooperation Agreement that it will not use in such a way as to further any military purpose any nuclear materials or reactors which are subject to the Cooperation Agreement and listed in the Inventory for Canada.

SECTION 3. The Agency hereby undertakes to apply safeguards during the term of and in accordance with the provisions of this Agreement to materials, and in connection therewith to facilities, while they are listed in either Inventory, in order to ascertain whether the undertakings of each Government are being fulfilled, provided that safeguards shall not be applied to nuclear material exempted from safeguards pursuant to Section 12 or to nuclear material while safeguards are suspended with respect to it pursuant to Section 12.

⁽¹⁾ Canada Treaty Series 1960 No. 15.