

- (l) "Sensitive information" means information relating to the enrichment or reprocessing of source material, special nuclear material and fuel, to the production of heavy water or to heavy water moderated reactors, which is designated as such by the supplying Contracting Party after consultation with the recipient Contracting Party and prior to the supply of such information to be specially controlled for the purpose of non-proliferation of nuclear explosive devices."

ARTICLE V

After Article VII of the Agreement, the following new Articles shall be inserted:

"ARTICLE VII A

Any dispute arising out of the interpretation or application of this Agreement which is not settled by negotiation or another procedure agreed to by the Contracting Parties shall, at the request of either Contracting Party, be submitted to an arbitral tribunal composed as follows: the Contracting Parties 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 Contracting Party has not designated an arbitrator, either Contracting Party 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 Contracting Parties.

ARTICLE VII B

The Annexes to this Agreement may be amended by mutual consent of the Contracting Parties without modification of this Agreement."

ARTICLE VI

Article VIII of the Agreement shall be amended by inserting the following immediately after paragraph 2:

"3. Notwithstanding termination of this Agreement, the provisions of Article III, Article IV, Article VI, Article VII and Article VII A of this Agreement shall remain in force in respect of equipment, facilities and materials obtained pursuant to this Agreement as well as identified material as long as any such item is in existence or until it is otherwise agreed between the Contracting Parties.

4. At the request of either Contracting Party, the Contracting Parties shall consult with each other whether to revise this Agreement or to replace this Agreement by a new agreement, taking into account the results of discussions at relevant international fora."