

5. Nuclear material referred to in Annex A to the present Agreement shall be enriched or reprocessed only if the appropriate governmental authorities of both Parties have agreed in advance in writing on the quantities and facilities in which nuclear material shall be reprocessed or enriched as well as on the subsequent storage and use of reprocessed or enriched nuclear material in the form of plutonium or in the form of uranium enriched by more than 20 per cent in the isotopes U-233 or U-235. When considering this issue, the appropriate governmental authorities of both Parties will take into account the requirements of the Parties for plutonium or uranium enriched by more than 20 per cent in the isotopes U-233 or U-235.

6. The appropriate governmental authorities of both Parties may, in accordance with paragraphs 4 and 5 of this Article, agree at any time on the general or specific terms which shall apply in respect to transfers, reprocessing or enrichment of items referred to in paragraphs 4 and 5 of this Article.

ARTICLE IV

1. Nuclear material referred to in Annex A to the present Agreement shall not be used for nuclear weapons or other nuclear explosive devices.

2. The commitment contained in paragraph 1 of this Article shall be verified pursuant to the agreement between each Party and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. However, if for any reason or at any time the International Atomic Energy Agency is not administering safeguards in a Party in accordance with the agreement between that Party and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, both Parties shall jointly prepare a list of the items referred to in Annex A to the present Agreement which are then within the jurisdiction of the Party in which safeguards are no longer being administered. The Parties shall then request the International Atomic Energy Agency to enter into an agreement which is satisfactory to both Parties for the application by the International Atomic Energy Agency of the Agency's Safeguards System with respect to those items in order to verify that there is compliance with paragraph 1 of this Article. During any period when the International Atomic Energy Agency is not administering safeguards in a Party in connection with the Treaty on the Non-Proliferation of Nuclear Weapons or pursuant to a safeguards agreement which is satisfactory to both Parties, the other Party shall have the right to administer, in the Party in which the International Atomic Energy Agency is no longer administering such safeguards, safeguards based on the procedures provided for in the Agency's Safeguard System in order to verify that there is compliance with paragraph 1 of this Article. The two Parties shall consult with and assist each other in the application of such safeguards.

ARTICLE V

If both Parties agree, safeguards may be terminated with respect to material or nuclear material which is to be used in non-nuclear activities. In making their determination the Parties shall be guided by the practices of the International Atomic Energy Agency pursuant to the provisions of INFCIRC/153.