

International Atomic Energy Agency

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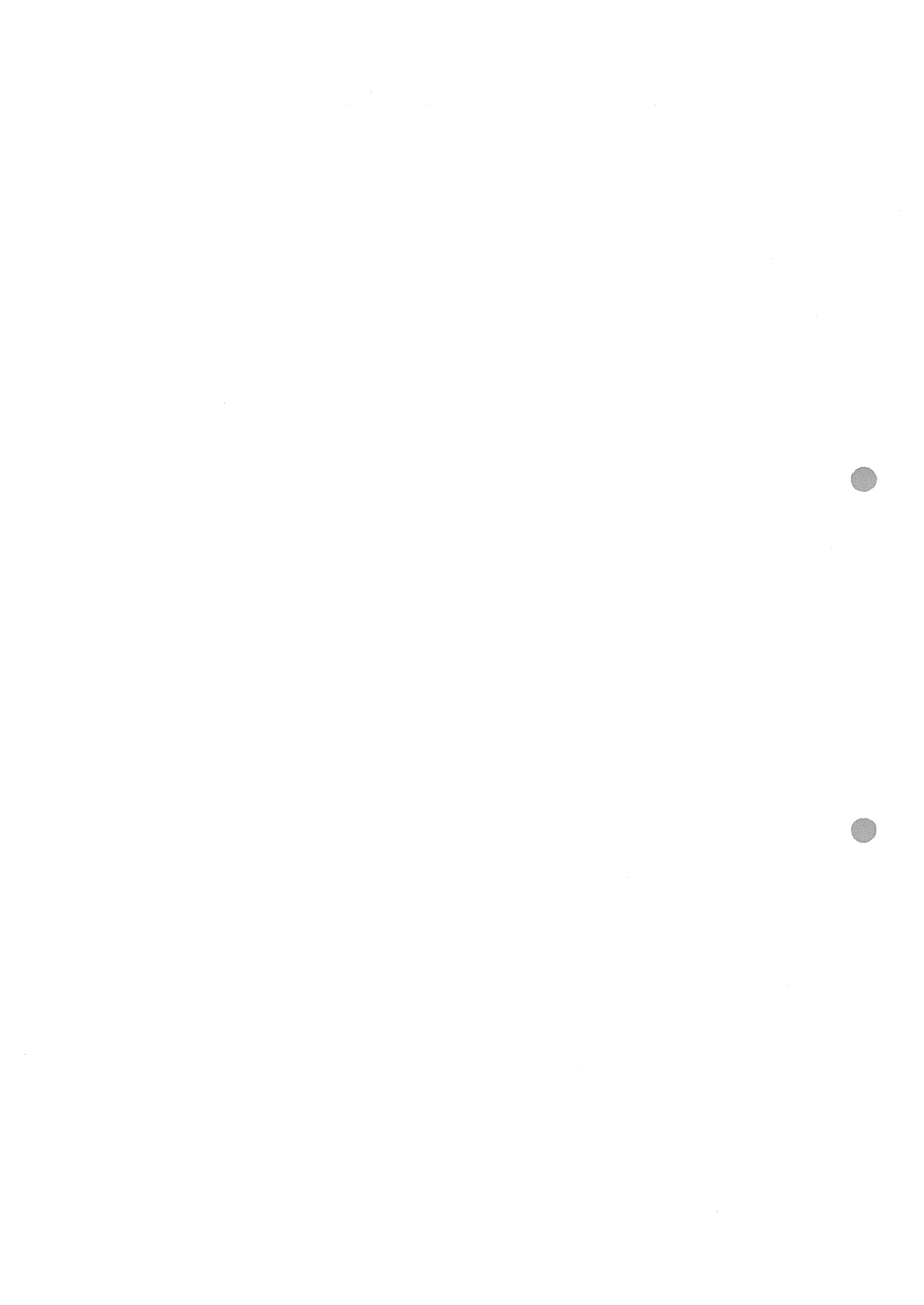
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THE TEXT OF THE AGREEMENT TO AMEND THE SAFEGUARDS
TRANSFER AGREEMENT BETWEEN THE AGENCY, BRAZIL
AND THE UNITED STATES OF AMERICA

1. The text[1] of the Agreement to Amend the Safeguards Transfer Agreement between the Agency, Brazil and the United States of America [2] is reproduced in this document for the information of all Members.
2. The Agreement entered into force on 20 September 1972.

[1] The footnote to the text has been added in the present information circular.

[2] Reproduced in document INFCIRC/110.



AGREEMENT TO AMEND THE AGREEMENT BETWEEN THE
INTERNATIONAL ATOMIC ENERGY AGENCY, THE
GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE UNITED STATES
OF BRAZIL FOR THE APPLICATION OF SAFEGUARDS

WHEREAS the Government of the United States of America and the Government of the Federative Republic of Brazil have been co-operating on the civil uses of atomic energy under their Agreement for Co-operation signed on 8 July 1965[3], which requires that equipment, devices and materials made available to Brazil by the United States be used solely for peaceful purposes;

WHEREAS the Agreement for Co-operation signed on 8 July 1965 has been superseded by an Agreement for Co-operation signed on 17 July 1972, which requires that equipment, devices and materials made available to Brazil by the United States under either Agreement be used solely for peaceful purposes;

WHEREAS the International Atomic Energy Agency has been applying safeguards in accordance with the provisions of the Agreement between the International Atomic Energy Agency, the Government of the United States of America and the Government of the United States of Brazil for the Application of Safeguards of 10 March 1967[2] to equipment, materials and facilities required to be safeguarded under the Agreement for Co-operation of 8 July 1965 to ensure so far as it is able that they will not be used in such a way as to further any military purpose;

WHEREAS the Agency and the two Governments desire to amend the Agreement of 10 March 1967 to apply safeguards to materials, equipment and facilities required to be safeguarded by the Agreement for Co-operation of 17 July 1972;

NOW, THEREFORE, the Agency and the two Governments agree as follows:

Section 1. The Agreement for the Application of Safeguards of 10 March 1967 is amended as follows:

A. The first WHEREAS clause is amended to read as follows:

"WHEREAS the Government of the United States of America and the Government of the Federative Republic of Brazil have agreed to continue co-operating on the civil uses of atomic energy under their Agreement for Co-operation of 17 July 1972, which requires that equipment, devices and materials made available to Brazil by the United States be used solely for peaceful purposes and establishes a system of safeguards to that end"

B. The fifth WHEREAS clause is amended to read as follows:

"WHEREAS the Board of Governors of the Agency approved that request on 29 February 1972"

C. Section 1(c) is amended to read as follows:

"(c) 'Agreement for Co-operation' means the agreement between Brazil and the United States for co-operation on the civil uses of atomic energy signed on 17 July 1972, as it may be amended"

[3] Text reproduced in United Nations Treaty Series, Vol. 674, p. 112.

D. Section 1(g) is amended to read as follows:

"(g) 'Safeguards Document' means Agency document INFCIRC/66/Rev. 2, which contains provisions approved by the Board on 28 September 1965, 17 June 1966, and 13 June 1968"

E. Section 1(i) is amended to read as follows:

"(i) 'Brazil' means the Government of the Federative Republic of Brazil"

F. Section 6 is amended by deleting "Article VI of" in the first sentence, and by deleting the second sentence and inserting the following language in lieu thereof:

"It is understood that no other rights and obligations of Brazil and the United States between themselves under the Agreement for Co-operation will be affected by this Agreement"

G. Section 20 is amended by deleting "Part III of" in the first sentence.

Section 2. The present Agreement shall be signed by or for the Director General of the Agency and by the authorized representatives of Brazil and the United States and shall enter into force on the date upon which the Agreement for Co-operation of 17 July 1972 enters into force. The two Governments shall notify the Agency of the date of the entry into force of the Agreement for Co-operation of 17 July 1972 within one week after that date.

DONE in Vienna, this twenty-seventh day of July 1972, in triplicate in the English language.

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) A. Finkelstein

For the GOVERNMENT OF THE UNITED STATES OF AMERICA:

(signed) Dwight J. Porter

For the GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL:

(signed) Helio F. S. Bittencourt