



International Atomic Energy Agency

INFORMATION CIRCULAR



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**PROTOCOL TO SUSPEND THE APPLICATION OF SAFEGUARDS
PURSUANT TO THE AGREEMENT OF 26 FEBRUARY 1976
BETWEEN THE AGENCY, THE GOVERNMENT OF THE
FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF
THE FEDERAL REPUBLIC OF GERMANY IN THE LIGHT OF THE
PROVISIONS FOR THE APPLICATION OF SAFEGUARDS
PURSUANT TO THE QUADRIPARTITE SAFEGUARDS AGREEMENT
BETWEEN ARGENTINA, BRAZIL, THE BRAZILIAN-ARGENTINE
AGENCY FOR THE ACCOUNTING AND CONTROL OF NUCLEAR
MATERIALS AND THE IAEA**

1. The text¹ of the Protocol of 16 October 1998 suspending the application of safeguards under the Safeguards Agreement² of 26 February 1976 between the Agency, Brazil and the Federal Republic of Germany, is reproduced in this document for the information of all Members.
2. The Protocol entered into force on 21 October 1999.

¹ The footnotes to the text have been added in the present information circular.

² Reproduced in document INFCIRC/237.

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For reasons of economy, this document has been printed in a limited number.

PROTOCOL TO SUSPEND THE APPLICATION OF SAFEGUARDS PURSUANT TO THE AGREEMENT OF 26 FEBRUARY 1976 BETWEEN THE AGENCY, THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY IN THE LIGHT OF THE PROVISIONS FOR THE APPLICATION OF SAFEGUARDS PURSUANT TO THE QUADRIPARTITE SAFEGUARDS AGREEMENT BETWEEN ARGENTINA, BRAZIL, THE BRAZILIAN-ARGENTINE AGENCY FOR THE ACCOUNTING AND CONTROL OF NUCLEAR MATERIALS AND THE IAEA

The International Atomic Energy Agency (hereinafter referred to as the "Agency"), the Government of the Federative Republic of Brazil (hereinafter referred to as "Brazil"), and the Government of the Federal Republic of Germany (hereinafter referred to as "Germany"):

Recognizing that the Agency has been applying safeguards in accordance with the provisions of the Agreement of 26 February 1976 between the Agency, Brazil and Germany (hereinafter referred to as the "Agreement") to materials, equipment and facilities required to be safeguarded under Article 3(2) of the Agreement of 27 June 1975 concerning co-operation in the field of Peaceful Uses of Nuclear Energy to ensure so far as it is able that they will not be used for the manufacture of any nuclear weapon or to further any military purpose or for the manufacture of any other nuclear explosive device;

Recognizing that Brazil has entered into an agreement with Argentina, the Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials and the Agency for the application of safeguards to all nuclear material in all nuclear activities in Brazil (hereinafter referred to as the "Quadripartite Agreement");

Recognizing that Article 23 of the Quadripartite Agreement provides for the suspension of Agency safeguards applied pursuant to other safeguards agreements with the Agency;

HAVE AGREED AS FOLLOWS:

1. The application of safeguards in Brazil pursuant to the Agreement is suspended while the Quadripartite Agreement is in force and safeguards specified therein are being applied by the Agency.
2. This protocol shall be signed by or for the Director General of the Agency and by the authorized representatives of Brazil and Germany, and shall enter into force on the date on which the Agency receives from Brazil and Germany written notification of the completion of their respective internal procedures.

Done in Vienna on the 16th day of October 1998, in triplicate in the English, Portuguese and German languages.

For the INTERNATIONAL
ATOMIC ENERGY AGENCY:

(signed)

Mohamed ElBaradei
Director General

For the Government of the FEDERATIVE
REPUBLIC OF BRAZIL:

(signed)

Affonso Celso de Ouro-Preto
Resident Representative of Brazil to the IAEA

For the Government of the
FEDERAL REPUBLIC OF GERMANY:

(signed)

Karl Borchard
Resident Representative of Germany to the IAEA