



International Atomic Energy Agency

INFORMATION CIRCULAR

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SPANISH

THE TEXT OF THE SAFEGUARDS TRANSFER AGREEMENT RELATING TO THE
BILATERAL AGREEMENT BETWEEN SPAIN AND THE
UNITED STATES OF AMERICA

Agreement to Amend the Safeguards Transfer Agreement

1. The text[1] of the Agreement of 28 June 1974 to Amend the Safeguards Transfer Agreement of 9 December 1966 between the Agency, Spain and the United States of America[2] is reproduced in this document for the information of all Members.
2. The Agreement entered into force, pursuant to Section 3, on 28 June 1974.

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

[2] Reproduced in document INFCIRC/92.

AGREEMENT TO AMEND THE AGREEMENT OF 9 DECEMBER 1966
BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY,
THE GOVERNMENT OF SPAIN AND THE
GOVERNMENT OF THE UNITED STATES OF AMERICA
FOR THE APPLICATION OF SAFEGUARDS

WHEREAS the Government of Spain and the Government of the United States of America have been co-operating on the civil uses of atomic energy under their Agreement for Co-operation of 16 August 1957,[3] as amended on 29 November 1965,[4] which requires that equipment, devices and materials made available to Spain by the United States be used solely for peaceful purposes;

WHEREAS the Agreement for Co-operation signed on 16 August 1957, as amended, has been superseded by an Agreement for Co-operation signed on 20 March 1974 which requires that equipment, devices and materials made available to Spain by the United States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 Spain and the Government of the United States of America for the Application of Safeguards of 9 December 1966[2] to equipment, materials and facilities required to be safeguarded under the Agreement for Co-operation of 16 August 1957, as amended, 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 9 December 1966 to apply safeguards to materials, equipment and facilities required to be safeguarded by the Agreement for Co-operation of 20 March 1974;

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

Section 1. The Agreement for the Application of Safeguards of 9 December 1966 is amended as follows:

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

"WHEREAS the Government of Spain and the Government of the United States of America have agreed to continue co-operating on the civil uses of atomic energy under their Agreement for Co-operation of 20 March 1974, which requires that equipment, devices and materials made available to Spain by the United States be used solely for peaceful purposes and establishes a system of safeguards to that end;"

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

"WHEREAS the Board of Governors of the Agency approved that request on 12 June 1974;"

[3] United Nations Treaty Series, Vol. 307, No. 4449.

[4] Ibid., Vol. 586, No. 4449.

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

"(c) 'Agreement for Co-operation' means the agreement between Spain and the United States for co-operation on the civil uses of atomic energy signed on 20 March 1974 as it may be amended."

- 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 6 is amended by deleting "Article X of" in the first sentence, and by deleting the second sentence and inserting the following in lieu thereof:

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

- F. Section 18 is amended by adding the following sentence at the end of the existing text:

"Materials other than nuclear materials, equipment or facilities listed in category 1 of the inventory (other than such materials, equipment or facilities transferred in accordance with Section 13(b) or 14), shall be deleted from the inventory and Agency safeguards thereon shall be terminated, when and as the Agency determines that such materials, equipment or facilities have been consumed, are no longer usable for any nuclear activity relevant from the point of view of safeguards or have become practicably irrecoverable."

- G. Section 31 is amended by deleting "Section 10(a) (iii)" in the last sentence and inserting in lieu thereof "Section 10(a)".

Section 2. The Spanish text of the Agreement for the Application of Safeguards of 9 December 1966 is further amended as follows:

- A. In all places where the term "Acuerdo de Cooperación" appears, it shall be replaced by "Convenio de Cooperación".
- B. In all places where the term "dicho Acuerdo" appears, it shall be replaced by "dicho Convenio".

Section 3. The present Agreement shall be signed by or for the Director General of the Agency and by the authorized representatives of Spain and the United States and shall enter into force on the date upon which the Agreement for Co-operation of 20 March 1974 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 20 March 1974 within one week after that date.

DONE in Vienna, this 28th day of June 1974 in triplicate in English and Spanish, the texts in both languages being equally authentic.

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) John A. Hall

For the GOVERNMENT OF SPAIN:

(signed) E. Mahou

For the GOVERNMENT OF THE UNITED STATES OF AMERICA:

(signed) Dwight J. Porter