



International Atomic Energy Agency

INFORMATION CIRCULAR

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THE TEXTS OF THE INSTRUMENTS CONNECTED WITH THE AGENCY'S
ASSISTANCE TO PAKISTAN IN ESTABLISHING A
RESEARCH REACTOR PROJECT

A Third Supply Agreement

1. As a sequel to the assistance which the Agency has provided to the Government of Pakistan in connection with a research reactor project [1], a Third Supply Agreement has been concluded between the Agency and the Governments of Pakistan and the United States of America.

2. The Agreement entered into force on 14 June 1974 pursuant to Article V, and the text is reproduced herein for the information of all Members [2].

[1] Pursuant to the agreements reproduced in documents INFCIRC/34 and Add. 1 to 3.

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

THIRD SUPPLY AGREEMENT

FIVE-YEAR AGREEMENT FOR THE TRANSFER OF ENRICHED
URANIUM FOR A RESEARCH REACTOR IN PAKISTAN

WHEREAS the International Atomic Energy Agency (hereinafter called the "Agency") and the Government of Pakistan (hereinafter called "Pakistan") on 5 March 1962 signed an Agreement (hereinafter called the "Project Agreement") [3] for assistance by the Agency to Pakistan in establishing a project consisting of the 5-MW PINSTECH pool-type research reactor (hereinafter called the "reactor"), and in securing the special fissionable material necessary therefor;

WHEREAS pursuant to the First and Second Supply Agreements concluded on 5 March 1962 and 19 October 1967 between the Agency, Pakistan and the United States Atomic Energy Commission (hereinafter called the "Commission") acting on behalf of the Government of the United States of America (hereinafter called the "United States"), as amended, [4] supplies of enriched uranium were delivered to Pakistan in connection with the project;

WHEREAS Pakistan, in connection with the Project Agreement, has requested the assistance of the Agency in securing from the United States an additional supply of enriched uranium over a period of five years;

WHEREAS under the Agreement for Co-operation between the Agency and the United States, as amended (hereinafter called the "Co-operation Agreement"), [5] the United States undertook to make available to the Agency from time to time quantities of special fissionable material as may be authorized by the United States;

WHEREAS pursuant to the terms of the Co-operation Agreement, the Agency and the United States on 14 June 1974 signed a Master Agreement Governing Sales of Source, By-Product and Special Nuclear Materials for Research Purposes (hereinafter called the "Master Agreement") [6]; and

WHEREAS the Board of Governors of the Agency on 13 June 1974 approved the additional assistance requested by Pakistan for the project;

NOW, THEREFORE, the Agency and Pakistan hereby agree as follows:

ARTICLE I

Transfer of Enriched Uranium

1. During a period of five (5) years from the entry into force of this Agreement, the Agency, pursuant to the provisions of the Master Agreement, shall request the Commission to transfer to the Agency for Pakistan, and Pakistan shall accept from the Agency, all of Pakistan's requirements for uranium enriched to approximately 93 per cent by weight in the isotope uranium-235 (hereinafter called the "enriched uranium"), up to a total net amount of five (5) kilograms of enriched uranium, contained in fuel elements for the reactor.

[3] Reproduced in document INFCIRC/34, part II.

[4] The First Supply Agreement is reproduced in document INFCIRC/34, part I, the Second in document INFCIRC/34/Add.1 and the amendment to the latter in document INFCIRC/34/Add.3.

[5] Reproduced in document INFCIRC/5, part III, as amended by the agreement reproduced in document INFCIRC/5/Mod.1.

[6] Reproduced in document INFCIRC/210.

2. The particular terms and conditions for the transfer of the enriched uranium, including charges, a schedule of deliveries and shipping instructions, shall be specified in a Supplemental Contract to the Master Agreement to be concluded jointly by the Agency and Pakistan with the Commission in implementation of this Agreement (hereinafter called the "Supplemental Contract").

ARTICLE II

Payment

1. Pakistan shall pay the Commission all charges for the enriched uranium received by Pakistan pursuant to Article I, including other charges connected therewith, in accordance with the provisions of the Supplemental Contract.

2. It is recognized that in extending its assistance for the project the Agency is not hereunder providing any guarantees or assuming any financial responsibility in connection with the supply of enriched uranium by the Commission to Pakistan.

ARTICLE III

Responsibility

Neither the Agency nor any person acting on its behalf shall at any time bear any responsibility towards Pakistan or any person claiming through Pakistan for the safe handling and the use of the enriched uranium.

ARTICLE IV

Amendment of Project Agreement

Section 3 of the Project Agreement is hereby amended to include the enriched uranium transferred pursuant to this Agreement under the definition of supplied material.

ARTICLE V

Entry into Force

This Agreement shall enter into force upon signature by or for the Director General of the Agency and by the authorized representative of Pakistan.

DONE in Vienna, on the fourteenth day of June 1974, in duplicate in the English language.

For the INTERNATIONAL ATOMIC
ENERGY AGENCY:

For the GOVERNMENT OF PAKISTAN:

(signed) Sigvard Eklund

(signed) Munir A. Khan