

Information Circular

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General Distribution

English

Original: Spanish

Agreement between the Republic of Panama and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America

**An agreement by Exchange of Letters of 6 November 1995 and 17
November 2003 with the Republic of Panama in connection with the
Treaty on the Non-Proliferation of Nuclear Weapons**

1. The text of the Exchange of Letters is reproduced in this document for the information of all Members. This Exchange of Letters constitutes an agreement confirming that:

- the Safeguards Agreement of 23 March 1984¹, concluded between the Republic of Panama and the IAEA, pursuant to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Tlatelolco Treaty), also satisfies the obligation of Panama under Article III of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to conclude a safeguards agreement with the IAEA;
- the safeguards set forth in the Safeguards Agreement shall also apply, as regards Panama, in connection with the NPT;
- the provisions of the Safeguards Agreement shall apply as long as Panama is party to the NPT or the Tlatelolco Treaty or both.

2. The agreement reflected in the Exchange of Letters was approved by the Board of Governors on 20 November 2003, and pursuant to its terms, entered into force on that date.

¹ Reproduced in document INFCIRC/316

Translated from Spanish

REPUBLIC OF PANAMA

Ministry of Foreign Affairs
Office of the Minister

D.M. No. DT/465
Panama City, 17 November 2003

Sir,

I have the honour to refer to the IAEA's letter of 6 November 1995 which reads as follows:

"I have the honour to refer to the decision of the Board of Governors of the International Atomic Energy Agency (IAEA) of 15 June 1995, which authorised the Secretariat of the IAEA to confirm, through an exchange of letters with the relevant States of the Latin American and Caribbean region, that, inter alia, the comprehensive safeguards agreements which these States have concluded with the IAEA pursuant to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean ("the Tlatelolco Treaty") satisfy the requirement of the States parties under the Treaty on the Non-Proliferation of Nuclear Weapons ("the NPT") to conclude comprehensive safeguards agreements with the IAEA.

"Panama is a party to the NPT, Article III of which provides, inter alia, that "Each non-nuclear weapon State party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA ...". Panama is also party to the Tlatelolco Treaty, and an agreement with the IAEA for the application of safeguards in connection with that Treaty (hereinafter called "the Safeguards Agreement") entered in force on [23 March 1984].

"Against that background, I should like to propose the following:

1. Panama and the IAEA consider that the Safeguards Agreement satisfies the obligation of Panama under Article III of the NPT.
2. Panama and the IAEA agree that the safeguards set forth in the Safeguards Agreement shall also apply, as regards Panama, in connection with the NPT.
3. The provisions of the Safeguards Agreement shall apply as long as Panama is party to the NPT or the Tlatelolco Treaty or both.

"It is the Secretariat's understanding that the Government of Panama concurs with the statements in paragraphs 1 to 3 above. In that case, this letter and your affirmative reply shall, subject to approval by the Board of Governors of the IAEA, constitute an agreement between the Government of Panama and the IAEA, which shall enter into force on the date of approval of this exchange of letters by the Board of Governors of the IAEA."

Mr. Mohamed ElBaradei
Director General
IAEA, Vienna

In this regard, I am pleased to inform you that the Government of Panama accepts the
aforementioned terms.

Accept, Sir, the assurances of my highest consideration.

(signed) Harmodio Arias Cerjack
Minister of Foreign Affairs

IAEA
Vienna

6 November 1995

Sir,

I have the honour to refer to the decision of the Board of Governors of the International Atomic Energy Agency (IAEA) of 15 June 1995, which authorised the Secretariat of the IAEA to confirm, through an exchange of letters with the relevant States of the Latin American and Caribbean region, that, inter alia, the comprehensive safeguards agreements which these States have concluded with the IAEA pursuant to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean ("the Tlatelolco Treaty") satisfy the requirement of the States parties under the Treaty on the Non-Proliferation of Nuclear Weapons ("the NPT") to conclude comprehensive safeguards agreements with the IAEA.

Panama is a party to the NPT, Article III of which provides, inter alia, that "Each non-nuclear weapon State party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA ...". Panama is also party to the Tlatelolco Treaty, and it concluded an agreement with the IAEA for the application of safeguards in connection with that Treaty (hereinafter called "the Safeguards Agreement") on 23 March 1984.

Against that background, I should like to propose the following:

1. Panama and the IAEA consider that the Safeguards Agreement satisfies the obligation of Panama under Article III of the NPT.
2. Panama and the IAEA agree that the safeguards set forth in the Safeguards Agreement shall also apply, as regards Panama, in connection with the NPT.
3. The provisions of the Safeguards Agreement shall apply as long as Panama is party to the NPT or the Tlatelolco Treaty or both.

It is the Secretariat's understanding that the Government of Panama concurs with the statements in paragraphs 1 to 3 above. In that case, this letter and your affirmative reply shall, subject to approval by the Board of Governors of the IAEA, constitute an agreement between the Government of Panama and the IAEA, which shall enter into force on the date of approval of this exchange of letters by the Board of Governors of the IAEA.

Accept, Sir, the assurances of my highest consideration.

(signed) Hans Blix
Director General

Mr. Jorge Enrique Halphen Pérez
Resident Representative a.i. of Panama to the International
Atomic Energy Agency
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