
Agreement between the French Republic, the European Atomic Energy Community 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 and the Caribbean

An Agreement to amend Protocol 1 and Protocol 2 to the Safeguards Agreement

1. The text of the Agreement¹ amending Protocol 1 and Protocol 2 of the Agreement between the French Republic, the European Atomic Energy Community 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 and the Caribbean², signed in Vienna on 13 September 2017, is reproduced in this document for the information of all Member States of the Agency.

2. The Agreement entered into force on 25 February 2019, one month after the Agency received notification from the French Republic and the European Atomic Energy Community that their respective internal procedures required for the entry into force of the Agreement have been met.

¹ Referred to as the "Agreement".

² Reproduced in document INFCIRC/718.

Agreement amending Protocol 1 and Protocol 2 of the Agreement between the French Republic, the European Atomic Energy Community 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 and the Caribbean

The French Republic (hereinafter referred to as “France”), the European Atomic Energy Community (hereinafter referred to as “the Community”) and the International Atomic Energy Agency (hereinafter referred to as “the Agency”) desiring to amend Protocol 1 and Protocol 2 of the Agreement between the French Republic, the European Atomic Energy Community 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 and the Caribbean, which entered into force on 26 October 2007 (hereinafter referred to as “the Agreement”) have agreed:

Article 1: Paragraph I of Protocol 1 of the Agreement shall be replaced by the following:

“I. (A) Until such time as

- (1) French Protocol I territories have, in peaceful nuclear activities, nuclear material in quantities exceeding the limits stated, for the type of material in question, in Article 35 of the Agreement, or
- (2) the decision has been taken to construct or authorize construction of a facility, as defined in the Definitions, in French Protocol I territories,

the implementation of the provisions in Part II of the Agreement shall be held in abeyance, with the exception of Articles 31-37, 39, 47, 48, 58, 60, 66, 67, 69, 71-75, 81, 83-89, 93 and 94.

(B) The information to be reported pursuant to paragraphs (a) and (b) of Article 32 of the Agreement may be consolidated and submitted in an annual report; similarly, an annual report shall be submitted, if applicable, with respect to the import and export of nuclear material described in paragraph (c) of Article 32.

(C) In order to enable the timely conclusion of the Subsidiary Arrangements provided for in Article 37 of the Agreement, the Community shall:

- (1) notify the Agency sufficiently in advance of having nuclear material in peaceful nuclear activities in French Protocol I territories in quantities that exceed the limits referred to in section (A) hereof, or
- (2) notify the Agency as soon as the decision to construct or to authorize construction of a facility in French Protocol I territories has been taken,

whichever occurs first. At such time, procedures for co-operation in the application of the safeguards provided for under the Agreement shall be agreed upon, as necessary, between France, the Community and the Agency.”

Article 2: Paragraph I of Protocol 2 of the Agreement shall be replaced by the following:

“I. At such time as the Community notifies the Agency in accordance with Section I(C) of Protocol 1 of the Agreement that there is nuclear material in peaceful nuclear activities in French Protocol I territories in quantities that exceed the limits referred to in Section I(A)(1) of Protocol 1 of the Agreement or that the decision has been taken to construct or authorize construction of a facility, as defined in the Definitions, in French Protocol I territories, as referred to in Section I(A)(2) of Protocol 1 of the Agreement, whichever occurs first, a Protocol for procedures for co-operation in the application of the safeguards provided for under the Agreement shall be agreed upon between France, the Community and the Agency. Such procedures will amplify certain provisions of the Agreement and, in particular, specify the conditions and means according to which the co-operation referred to above shall be implemented in such a way as to avoid unnecessary duplication of safeguards activities. The procedures shall be, to the extent practicable, based upon those then in force under Protocols to, and the subsidiary arrangements of, other safeguards agreements between Member States of the Community, the Community and the Agency, including the related special understandings agreed upon by the Community and the Agency.”

Article 3:

This Agreement shall enter into force one month after the Agency has received the last notification on the implementation by both France and the Community of the internal procedures required for its entry into force.

DONE at Vienna on the 13th day of September 2017 in three originals, in the French and English languages, both texts being equally authentic.

For the French Republic:

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For the European Atomic Energy Community:

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