

No. 30089

**INTERNATIONAL ATOMIC
ENERGY AGENCY
and
PAKISTAN**

Agreement for the application of safeguards in connection with the supply of a nuclear power station from the People's Republic of China. Signed at Vienna on 24 February 1993

Authentic texts: English.

Registered by the International Atomic Energy Agency on 18 June 1993.

**AGENCE INTERNATIONALE
DE L'ÉNERGIE ATOMIQUE
et
PAKISTAN**

Accord pour l'application de garanties relatives à la fourniture d'une centrale nucléaire par la République populaire de Chine. Signé à Vienne le 24 février 1993

Texte authentique : anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 18 juin 1993.

AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE SUPPLY OF A NUCLEAR POWER STATION FROM THE PEOPLE'S REPUBLIC OF CHINA

WHEREAS the Government of the Islamic Republic of Pakistan (hereinafter referred to as "Pakistan") and the Government of the People's Republic of China (hereinafter referred to as "China") concluded an Agreement for Co-operation in the Peaceful Uses of Nuclear Energy² (the Co-operation Agreement) and for the supply of nuclear material, facilities and equipment from China to Pakistan within the framework of the Co-operation Agreement;

WHEREAS pursuant to an arrangement under the Co-operation Agreement China has agreed to supply to Pakistan a 300 MW(e) pressurized light water nuclear power station;

WHEREAS Pakistan has requested the International Atomic Energy Agency (hereinafter referred to as the "Agency") to apply safeguards in connection with the supply of the reactor facility by China to Pakistan and to the nuclear material to be used therein;

WHEREAS the Agency is authorized by its Statute³ to apply safeguards, inter alia, at the request of a party or parties, to any bilateral arrangement;

WHEREAS the Board of Governors of the Agency (hereinafter referred to as the "Board") acceded to that request on 19 June 1992;

NOW THEREFORE, Pakistan and the Agency have agreed as follows:

¹ Came into force on 24 February 1993 by signature, in accordance with section 30.

² United Nations, *Treaty Series*, vol. 1514, p. 3.

³ *Ibid.*, vol. 276, p. 3.

DEFINITIONS

Section 1.

For the purpose of this Agreement:

- (a) "Safeguards Document" shall mean Agency document INFCIRC/66/Rev.2.
- (b) "Inspectors Document" shall mean the Annex to Agency document GC(V)/INF/39;
- (c) "facility" shall mean:
 - (i) A principal nuclear facility as defined in paragraph 78 of the Safeguards Document, as well as a critical facility or a separate storage installation;
 - (ii) Any location where nuclear material in amounts greater than one effective kilogram is customarily used;
- (d) "nuclear material" shall mean any source material or special fissionable material as defined in Article XX of the Statute of the Agency;
- (e) "reactor facility" shall mean the reactor facility (confined to nuclear reactor, reactor pressure vessel, reactor fuel charging and discharging machine and reactor control rods only) of the 300 MW(e) pressurized light water enriched uranium reactor supplied by China under the Co-operation Agreement, and any reactor facility (as detailed above) produced therefrom or as a result of its utilization;
- (f) "produced, processed or used" shall mean any utilization or any alteration of the physical or chemical form or composition, including any change of the isotopic composition, of nuclear material.

UNDERTAKINGS BY PAKISTAN AND BY THE AGENCY

Section 2.

Pakistan undertakes that none of the following items shall be used for the manufacture of any nuclear weapon or to further any other military purpose and that such items shall be used exclusively for peaceful purposes and shall not be used for the manufacture of any nuclear explosive device:

- (a) The reactor facilities as defined in Section 1(e) above;
- (b) Any nuclear material supplied by China to Pakistan for use in a reactor facility as defined in Section 1(e) above;
- (c) Any nuclear material, including subsequent generations of special fissionable material, produced, processed or used in or by the use of a reactor facility as defined in Section 1(e) above or in or by the use of any other item referred to in this Section;
- (d) Any other item required to be listed in the Inventory referred to in Section 6.

Section 3.

The Agency undertakes to apply safeguards, in accordance with the terms of this Agreement, to the items referred to in Section 2 so as to ensure, as far as it is able, that no such item is used for the manufacture of any nuclear weapon or to further any other military purpose and that such items are used exclusively for peaceful purposes and not for the manufacture of any nuclear explosive device.

Section 4.

Pakistan undertakes to co-operate with the Agency in the application of the safeguards provided for in this Agreement.

Section 5.

In the event that Pakistan should construct or operate any reactor facility, as defined in Section 1(e) above, it shall arrange to submit such

reactor facility to Agency safeguards before such construction or operation commences.

ESTABLISHMENT AND MAINTENANCE OF INVENTORY

Section 6.

The Agency shall establish and maintain an Inventory which shall be divided into three parts.

(a) The Main Part of the Inventory shall list:

- (i) Any reactor facility, as defined in Section 1(e) above;
- (ii) Any nuclear material supplied by China to Pakistan for use in a reactor facility as defined in Section 1(e) above;
- (iii) Any nuclear material, including subsequent generations of special fissionable material, produced, processed or used in or by the use of a reactor facility as defined in Section 1(e) above or in or by the use of any other item required to be listed in the Inventory;
- (iv) Any nuclear material substituted in accordance with paragraph 25 or 26(d) of the Safeguards Document for nuclear material listed in the Main Part of the Inventory;

(b) The Subsidiary Part of the Inventory shall list:

Any facility while containing, using, processing or fabricating any nuclear material referred to in the Main Part of the Inventory;

(c) The Inactive Part of the Inventory shall list any nuclear material and any parts of the reactor facility which would normally be listed in the Main Part of the Inventory but which are not so listed because:

- (i) The nuclear material is exempt from safeguards in accordance with the provisions of paragraph 21, 22 or 23 of the Safeguards Document; or