

No. 50559

**Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
and
Czech Republic**

Agreement between the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Government of the Czech Republic on the conduct of activities, including post-certification activities, relating to international monitoring facilities for the Comprehensive Nuclear-Test-Ban Treaty (with appendix). Vienna, 13 November 2002

Entry into force: *29 January 2004 by notification, in accordance with article 22*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, 4 March 2013*

**Commission préparatoire de l'Organisation du Traité
d'interdiction complète des essais nucléaires
et
République tchèque**

Accord entre la Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires et le Gouvernement de la République tchèque sur la conduite des activités relatives aux installations de surveillance internationale, y compris les activités postérieures à la certification (avec appendice). Vienne, 13 novembre 2002

Entrée en vigueur : *29 janvier 2004 par notification, conformément à l'article 22*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires, 4 mars 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

**THE PREPARATORY COMMISSION FOR THE
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION**

AND THE GOVERNMENT OF THE CZECH REPUBLIC

**ON THE CONDUCT OF ACTIVITIES,
INCLUDING POST-CERTIFICATION ACTIVITIES,
RELATING TO
INTERNATIONAL MONITORING FACILITIES
FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY**

PREAMBLE

In accordance with paragraph 12(b) of the Text on the Establishment of a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, as annexed to the Resolution establishing the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (“the Preparatory Commission”), adopted by the meeting of States Signatories of the Comprehensive Nuclear-Test-Ban Treaty (“CTBT”) on 19 November 1996 at New York, the Preparatory Commission and the Government of the Czech Republic (“the Parties”), with the goal of facilitating the activities of the Provisional Technical Secretariat in: (a) conducting an inventory of an existing International Monitoring System (“IMS”) facility; (b) conducting a site survey; (c) upgrading or establishing an IMS facility; (d) establishing and/or upgrading communication facilities at an IMS facility and in the National Data Centre; and (e) certifying facilities to IMS standards, and with the goal of facilitating the continued testing, provisional operation, as necessary, and maintenance of the IMS in pursuit of the goal of an effective Treaty, have agreed, pursuant to the provisions of the CTBT, in particular Articles I to IV and Part I of the Protocol, as follows:

Article 1

The Preparatory Commission and the Government of the Czech Republic shall cooperate to facilitate the implementation of the provisions of this Agreement. The activities to be carried out by or on behalf of the Preparatory Commission in the Czech Republic are or will be set forth in the Appendix or Appendices to this Agreement. Appendices may be added or removed from time to time by mutual agreement of the Parties.

Article 2

Where activities pursuant to the provisions of this Agreement concerning procurement are to be carried out on behalf of the Preparatory Commission, the activities shall be performed according to the terms and conditions of a contract or contracts awarded by the Preparatory Commission in accordance with the provisions of the Financial Regulations and Rules of the Preparatory Commission.

Article 3

Where activities pursuant to the provisions of this Agreement are to be carried out by the Preparatory Commission, the activities shall be conducted by the Preparatory Commission Team ("the Team") which shall consist of the personnel that shall, after consultations with the Government of the Czech Republic, be designated by the Preparatory Commission. The Government of the Czech Republic shall be entitled to refuse particular Team members on the understanding that the Preparatory Commission will be entitled to propose new Team members to replace them. For each activity carried out by the Team, the Preparatory Commission shall designate a Team Leader and the Government of the Czech Republic shall designate an Executive Agent who shall be the points of contact between the Commission and the Government of the Czech Republic.

Article 4

No less than 14 days in advance of the proposed arrival of the Team at the point of entry, the Team Leader and the Executive Agent shall consult for the purpose of facilitating the conduct of the activities that will be undertaken, including consultations regarding the

equipment to be brought into the Czech Republic by the Team for carrying out the activities undertaken in accordance with the provisions of this Agreement. For post-certification activities, such equipment should be in accordance with the relevant IMS Operational Manuals adopted by the Preparatory Commission without prejudice to Article II, paragraph 26(h), of the CTBT. In the course of these consultations, the Government of the Czech Republic shall inform the Preparatory Commission of the points of entry and exit through which the Team and equipment will enter and exit the territory of the Czech Republic.

Article 5

During the consultations noted in Article 4 above, the Government of the Czech Republic will inform the Preparatory Commission of information required for the Czech Republic to issue documents to enable the Team to enter and remain on the territory of the Czech Republic for the purpose of carrying out activities consistent with the relevant IMS Operational Manuals adopted by the Preparatory Commission without prejudice to Article II, paragraph 26(h), of the CTBT and set forth in the Appendix or Appendices to this Agreement. The Preparatory Commission shall provide that information to the Government of the Czech Republic as soon as possible after the conclusion of those consultations. In accordance with the relevant laws and regulations of the Czech Republic, the Team shall be entitled to enter the territory of the Czech Republic and remain there for the period of time necessary to carry out such activities.

Article 6

The activities of the Team pursuant to the provisions of this Agreement shall be arranged in cooperation with the Government of the Czech Republic so as to ensure, to the greatest degree possible, the timely and effective discharge of its functions, and the least possible inconvenience to the Government of the Czech Republic and disturbance to the IMS facility or area at which the Team will carry out its activities.

Article 7

The provisions of the Convention on the Privileges and Immunities of the United Nations shall apply, *mutatis mutandis*, to the activities of the Preparatory Commission, its officials and experts in implementing the provisions of this Agreement.

Article 8

The Government of the Czech Republic shall make all reasonable efforts to ensure that local entities cooperate with the activities undertaken by the Team. The Preparatory Commission shall take all reasonable steps necessary to ensure that the Executive Agent of the Government of the Czech Republic is kept informed of progress or developments in relation to the activities, listed in the Appendix to this Agreement, which are undertaken by the Team in the territory of the Czech Republic.

Article 9

The Executive Agent and the Team Leader shall agree, during the consultations noted in Article 4, a list of equipment to be brought into the Czech Republic by the Team. The Government of the Czech Republic shall have the right to conduct an inspection of equipment brought into the Czech Republic by the Team to ascertain that the equipment conforms to the agreed list. The Government of the Czech Republic shall conduct such an inspection without the presence of the Team Leader, unless the Team Leader decides that his or her presence is necessary. Items of equipment that require special handling or storage for safety purposes shall be so designated by the Team Leader and communicated to the Executive Agent prior to the arrival of the Team at the point of entry. The Government of the Czech Republic shall ensure that the Team can store its equipment in a securable workspace. In order to prevent undue delays in transporting equipment, the Government of the Czech Republic shall assist the Team in meeting the internal rules and regulations of the Czech Republic for importing such equipment into and, where appropriate, exporting such equipment out of the Czech Republic.