

No. 50560

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

Agreement between the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Government of the French 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 July 2001

Entry into force: *1 May 2004, in accordance with article 23*

Authentic texts: *English and French*

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
France**

Accord entre la Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires et le Gouvernement de la République française sur la conduite des activités relatives aux installations de surveillance internationale, y compris les activités postérieures à la certification (avec appendice). Vienne, 13 juillet 2001

Entrée en vigueur : *1^{er} mai 2004, conformément à l'article 23*

Textes authentiques : *anglais et français*

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

The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Government of the French Republic (hereinafter “the Parties”);

Desiring to facilitate the activities of the Provisional Technical Secretariat in:

- a) conducting an inventory of existing monitoring facilities;
- b) conducting site surveys;
- c) upgrading or establishing monitoring facilities; and/or
- d) certifying facilities to International Monitoring System (hereinafter “the IMS”) standards;

Having the objective of facilitating the continued testing, provisional operation, as necessary, and maintenance of the IMS in pursuit of the goal of an effective Comprehensive Nuclear-Test-Ban Treaty (hereinafter “the CTBT”);

Pursuant to the provisions of the CTBT, in particular Articles I to IV and Part I of the Protocol, and in accordance with paragraph 12(b) of the Text on the Establishment of a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (hereinafter “the Preparatory Commission”), as annexed to the resolution establishing the Preparatory Commission, adopted by the meeting of States Signatories of the CTBT on 19 November 1996 at New York, have agreed as follows:

Article 1

The Government of the French Republic (hereinafter “the Government”) and the Provisional Technical Secretariat (hereinafter “the PTS”) shall cooperate to facilitate the implementation of the provisions of this Agreement. The activities to be carried out by or on behalf of the PTS in the French Republic are or will be set forth in the Appendices to this Agreement. Additional Appendices may be added or removed from time to time by mutual agreement of the Parties.

Article 2

The IMS facilities forming the object of this Agreement shall be upgraded or established in conformity with such laws and regulations as are in force, in particular those concerning the protection of the environment.

Article 3

The activities to be carried out on behalf of the PTS pursuant to the provisions of this Agreement shall be performed according to the terms and conditions of a contract or contracts awarded by the PTS in accordance with the provisions of the Financial Regulations of the Preparatory Commission. A copy of the technical terms of reference of such contract or contracts shall be provided to the Executive Agent referred to in Article 5.

Article 4

The activities to be carried out pursuant to the provisions of this Agreement by the Government in application of Article IV, paragraph 22 of the CTBT, shall be performed in conformity with the provisions of the Financial Regulations and Rules of the Preparatory Commission on reduced assessment and on the basis of a proposal to be submitted by the Government for the approval of the PTS.

Article 5

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

Article 6

No less than 14 days in advance of the proposed arrival of the PTS Team at the point of entry, the PTS 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 French Republic by the PTS 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 shall inform the PTS of the points of entry and exit through which the PTS Team and equipment will enter and exit the territory of the French Republic.

Article 7

During the consultations noted in Article 5, the Government shall inform the PTS of information required to issue documents to enable the PTS Team to enter and remain on the territory of the French Republic for the purpose of carrying out activities consistent with relevant agreed IMS Operational Manuals adopted by the Preparatory Commission without prejudice to Article II, paragraph 26(h) of the CTBT and set forth in the Appendices to this Agreement. The PTS shall provide that information to the Government as soon as possible after the conclusion of those consultations. In accordance with the relevant laws and regulations of the French Republic, the PTS Team shall be entitled to enter the territory of the French Republic and remain there for the period of time necessary to carry out such activities. The Government shall grant or renew as quickly as possible appropriate visas where required for members of the PTS team. A PTS Team member may be required to leave the French Republic by the appropriate French authorities, where an order to leave the country has been issued by these authorities with the approval of the French Foreign Minister. Such approval shall only be given after consultation with the Executive Secretary of the Preparatory Commission.

Article 8

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

Article 9

The Government shall accord members of the PTS Team present on its territory such protection and amenities as may be necessary to ensure the safety and well-being of each member of the PTS Team. The provisions of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946 shall apply, *mutatis mutandis*, to the