

No. 50563

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

Agreement between the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Argentine Republic on the conduct of activities relating to international monitoring facilities for the Comprehensive Nuclear-Test-Ban Treaty (with appendix). Vienna, 9 December 1999

Entry into force: *2 March 2004 by notification, in accordance with article 19*

Authentic texts: *English and Spanish*

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
Argentine**

Accord entre le Secrétariat technique provisoire de la Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires et la République argentine sur la conduite des activités relatives aux installations de surveillance internationale (avec appendice). Vienne, 9 décembre 1999

Entrée en vigueur : *2 mars 2004 par notification, conformément à l'article 19*

Textes authentiques : *anglais et espagnol*

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 PROVISIONAL TECHNICAL SECRETARIAT
OF THE PREPARATORY COMMISSION FOR THE
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION**

AND THE ARGENTINE REPUBLIC

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

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 (“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 Provisional Technical Secretariat (“PTS”) and the Government of the Argentine Republic (“Government”), hereinafter “the Parties”, with the goal of facilitating the activities of the PTS in: a) conducting an inventory of existing monitoring facilities; b) conducting a site survey; c) upgrading or establishing monitoring facilities; and /or d) certifying facilities to International Monitoring System standards, and 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 Government and 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 Argentine Republic are set forth in the Appendix or Appendices to this Agreement.

Article 2

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. Unless, for reasons of commercial confidentiality, the contractor does not agree, a copy of such contract or contracts shall be provided to the Executive Agent.

AND/OR

The activities to be carried out pursuant to the provisions of the Appendix shall be performed by the Government at its own expense on the basis of a proposal to be submitted by the Government for the approval of the PTS.

Article 3

Where activities pursuant to the provisions of this Agreement are to be carried out by the PTS, the activities shall be conducted by designated personnel who shall comprise the PTS Team. 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. The PTS shall inform the Government of the names and titles of the Team Leader and other team members as soon as possible following his or her designation. The Government shall inform the Executive Secretary of the Preparatory Commission of the name and title of the Executive Agent as soon as possible following his or her designation.

Article 4

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 Argentine Republic by the PTS Team for carrying out the activities undertaken in accordance with the provisions of this Agreement. 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 Argentine Republic. The Government shall inform the PTS of information required for the Government to issue documents to enable the PTS Team to enter and remain on the territory of the Argentine Republic for the purpose of carrying out activities set forth in the Appendix or 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 Argentine Republic, the PTS Team shall be entitled to enter the territory of the Argentine 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.

Article 5

The activities of the PTS Team pursuant to the provisions of this Agreement shall be arranged in cooperation with the Government 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 and disturbance to the facility or area at which the PTS Team shall carry out its activities.

Article 6

Except as specified in this Agreement, the PTS assumes no obligations or responsibilities in relation to the work undertaken pursuant to this Agreement. The PTS and the members of the PTS Team shall not be liable for any loss or damage whatsoever arising from the activities of the PTS in implementing the provisions of this Agreement.

Article 7

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 shall apply, *mutatis mutandis*, to the activities of the PTS and its officials in implementing the provisions of this Agreement.

Article 8

The Government shall make all reasonable efforts to ensure that local entities cooperate with the activities undertaken by the PTS Team.

Article 9

The Government and the PTS shall agree on a list of equipment to be brought into the Argentine Republic by the PTS Team. The Government shall have the right to conduct an inspection in the presence of the PTS Team Leader to ascertain that the equipment conforms to the agreed list. The PTS Team Leader may decide that his or her presence is not necessary at the inspection. Items of equipment that require special handling or storage for safety purposes shall be so designated by the PTS Team Leader and communicated to the Executive Agent prior to the arrival of the PTS Team at the point of entry. The Government shall ensure that the PTS Team can store its equipment in a securable workspace. In order to prevent undue delays in transporting equipment, the Government shall assist the PTS Team in meeting the internal rules and regulations of the Argentine Republic for importing such equipment into the Argentine Republic, and, where appropriate, exporting such equipment out of the Argentine Republic. The equipment and other property of the PTS brought into the Argentine Republic in order to implement the provisions of this Agreement shall be exempt from customs duties. The Executive Agent shall facilitate the customs clearance of any such equipment or property. Title to any equipment transferred by the PTS to the Government for permanent installation in monitoring facilities in accordance with the provision of this Agreement shall immediately pass to the Government upon entry into the jurisdiction of the Argentine Republic.

Article 10

The PTS, its assets, income and other property shall be exempt from all direct taxes in the Argentine Republic. The Government shall make appropriate administrative arrangements for the remission or return of any duty or tax which forms part of the price paid by the PTS in making purchases and in contracting for services pursuant to the provisions of this Agreement.

Article 11

Any data and any official reports prepared by either Party with respect to the activities undertaken in accordance with the provisions of this Agreement shall be made available to the other Party.

Article 12

Following completion of each of the activities set forth in the Appendix or Appendices, the PTS shall provide the Government with such appropriate technical assistance as the PTS deems required for the proper functioning of any facility as part of the International Monitoring System. The PTS shall also provide technical assistance in, and support for, the operation of any monitoring facility and respective communications means, where such assistance is requested by the Government and within approved budgetary resources.

Article 13

The PTS shall consult with the Government on procedures for the PTS to access a facility for checking equipment and communications links, and to make necessary changes in the equipment and other operational procedures, unless the Government takes responsibility for making the necessary changes. The PTS shall have access to the facility in accordance with such procedures.

Article 14

Without prejudice to the essential conditions set forth in relevant standards in the Argentine Republic and established international practice, the PTS shall have the right, freely and without need for special permission, to obtain dedicated communications links for all types of communications equipment in order to send and receive data from any facility established in terms of the provisions of this Agreement. The PTS is not required to use any national telecommunications system in the Argentine Republic. All communications of data to the PTS shall be free of fees and any other charges of the Government or any competent authority in the Argentine Republic, except for charges directly related to the cost of providing a service, which shall not exceed the lowest rates accorded to governmental agencies in the Argentine Republic. The Government shall use its best endeavours to assist the PTS in obtaining the lowest rates