

No. 8865. AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF IRAN FOR ASSISTANCE BY THE AGENCY TO IRAN IN ESTABLISHING A RESEARCH REACTOR PROJECT. SIGNED AT VIENNA, ON 15 MARCH 1967, AND AT TEHERAN, ON 10 MAY 1967¹

AGREEMENT² AMENDING THE ABOVE-MENTIONED AGREEMENT (WITH ANNEX). SIGNED AT VIENNA ON 9 DECEMBER 1988

Authentic text: English.

Registered by the International Atomic Energy Agency on 23 March 1990.

Whereas the International Atomic Energy Agency (hereinafter called the "Agency") and the Government of Iran on 10 May 1967 concluded an agreement¹ (hereinafter called the "Project Agreement") for assistance by the Agency to Iran in establishing the five megawatt pool-type research reactor (hereinafter called the "reactor") at the Tehran Nuclear Centre of the University of Tehran.

Whereas the Government of the Islamic Republic of Iran (hereinafter called "Iran") has requested further assistance from the Agency in obtaining from the Government of Argentina (hereinafter called "Argentina") the supply of 115.80 kilograms of uranium contained in fuel elements enriched to approximately 19.90 per cent uranium-235 for use in the operation of the reactor (hereinafter called the "supplied material");

Whereas Iran on 15 May 1974 concluded with the Agency an agreement for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons³ (hereinafter called the "Treaty Safeguards Agreement") which entered into force on that date;

Whereas the Board of Governors of the Agency (hereinafter called the "Board") approved the additional assistance by the Agency to Iran on 26 September 1988; and

Whereas the Agency, Argentina and Iran are this day concluding an agreement for the transfer of the supplied material for the reactor (hereinafter called the "Additional Supply Agreement");

Now therefore the Agency and Iran hereby agree to amend the Project Agreement as follows:

Article I

Article II of the Project Agreement is amended to read as follows:

"Section 2. The supplied material to be transferred to Iran pursuant to the Additional Supply Agreement, which constitutes an integral part of the Project Agreement to the extent that it creates rights and obligations between the Agency and Iran, shall be allocated to the project described in Article I."

Article II

Article IV of the Project Agreement is amended to read as follows:

¹ United Nations, *Treaty Series*, vol. 614, p. 93.

² Came into force on 9 December 1988 by signature, in accordance with article VI.

³ United Nations, *Treaty Series*, vol. 954, p. 91. (The agreement was signed on 19 June 1973, and entered into force on 15 May 1974).

“Safeguards

Section 4. Iran undertakes that the reactor, the supplied material and any special fissionable material produced through its use, including subsequent generations of produced special fissionable material, shall not be used for the manufacture of any nuclear weapon or any nuclear explosive device, or for research on or the development of any nuclear weapon or any nuclear explosive device, or to further any other military purpose.

Section 5. The safeguards rights and responsibilities of the Agency provided for in Article XII.A of the Statute¹ are relevant to the project and shall be implemented and maintained with respect to the project. Iran shall co-operate with the Agency to facilitate the implementation of the safeguards required by this Agreement.

Section 6. Agency safeguards referred to in Section 5 of this Article shall be implemented pursuant to the Treaty Safeguards Agreement as long as in force.

Section 7. In the event the Board determines, in accordance with Article XII.C of the Statute, that there has been any non-compliance with paragraph 1 or 2 of this Article, the Board shall call upon Iran to remedy such non-compliance forthwith, and the Board shall make such reports as it deems appropriate. In the event of failure by Iran to take fully corrective action within a reasonable time, the Board may take any other measures provided for in Article XII.C of the Statute.

Section 8. Upon request of Argentina, Iran shall inform Argentina of the status of all inventories of any materials required to be safeguarded pursuant to this Agreement. If Argentina so requests, Iran shall permit the Agency to inform Argentina of the status of all such inventories to the extent such information is available to the Agency.”

Article III

Article VI is deleted. The remaining Articles and Sections are accordingly renumbered. The reference to Article VI in the previous Article IX, Section 14 is deleted.

Article IV

Annex A is deleted.

Article V

Annex B to the Project Agreement with respect to the health and safety measures applying to the reactor and the supplied material is replaced by the Annex to this Amendment.

Article VI

This Amendment shall enter into force upon signature by or for the Director General of the Agency and by the authorized representative of Iran.

DONE in Vienna, this 9th day of December 1988, in duplicate in the English language.

For the International
Atomic Energy Agency:

[Signed]

HANS BLIX

For the Government of the
Islamic Republic of Iran:

[Signed]

KHALIL MOOSAVI BIOKI

¹ United Nations, *Treaty Series*, vol. 276, p. 3. For the texts of the amendments to the Statute, see vol. 471, p. 334, and vol. 1082, p. 290.

ANNEX

SAFETY STANDARDS AND MEASURES

1. The safety standards and measures applicable to the project shall be those set forth in Agency document INFCIRC/18/Rev.1 (hereinafter called the "Safety Document") as specified below.

2. Iran shall apply the Agency's Basic Safety Standards for Radiation Protection and relevant provisions of the Agency's Regulations for the Safe Transport of Radioactive Materials, as they are revised by the Agency from time to time, and shall as far as possible apply them also to any shipment of the supplied material outside the jurisdiction of Iran. Iran shall endeavour to ensure safety conditions as recommended in the relevant parts of the Agency's codes of practice.

3. Iran shall arrange for submission to the Agency, at least sixty days prior to the proposed transfer of any part of the supplied material to the jurisdiction of Iran of a detailed safety analysis report containing the information specified in paragraph 4.7 of the Safety Document, with particular reference to the following types of operations, to the extent that such information is relevant and not yet available to the Agency:

- (a) Receipt and handling of the supplied material;
- (b) Loading of the supplied material into the research reactor;
- (c) Start-up and pre-operational testing of the research reactor with the supplied material;
- (d) Experimental programme and procedures involving the research reactor;
- (e) Unloading of the supplied material from the research reactor;
- (f) Handling and storage of the supplied material after unloading.

Once the Agency has determined that the safety measures provided for are adequate, it shall give its consent for the start of the assisted operation. Should Iran desire to make substantial modifications to the procedures with respect to which information has been submitted, or to perform any operations with the research reactor or the supplied material with respect to which operation no such information has been submitted, it shall submit to the Agency all relevant information as specified in paragraph 4.7 of the Safety Document, on the basis of which the Agency may require the application of additional safety measures in accordance with paragraph 4.8 of the Safety Document. Once Iran has undertaken to apply the additional safety measures requested by the Agency, the Agency shall give its consent for the modifications or operations referred to above.

4. Iran shall arrange for submission to the Agency, as appropriate, of the reports specified in paragraphs 4.9 and 4.10 of the Safety Document.

5. The Agency may, in agreement with Iran, send safety missions for the purpose of providing advice and assistance to Iran in connection with the application of safety measures to the project, in accordance with paragraphs 5.1 and 5.3 of the Safety Document. Special safety missions may be arranged by the Agency in the circumstances specified in paragraph 5.2 of the Safety Document.

6. Changes in the safety standards and measures laid down in this Annex may be made in accordance with paragraphs 6.1 to 6.3 of the Safety Document.