



International Atomic Energy Agency

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THE TEXT OF THE SAFEGUARDS TRANSFER AGREEMENT RELATING TO THE BILATERAL AGREEMENT BETWEEN THAILAND AND THE UNITED STATES OF AMERICA

Protocol of Suspension

1. The text [1] of the Protocol suspending the Safeguards Transfer Agreement of 30 September 1964 between the Agency, Thailand and the United States of America [2] is reproduced in this document for the information of all Members.
2. The Protocol entered into force on 16 May 1974, pursuant to Section 3 thereof.

[1] The footnotes to the text have been added in the present information circular.

[2] Reproduced in document INFCIRC/68.

PROTOCOL SUSPENDING THE AGREEMENT BETWEEN THE INTERNATIONAL
 ATOMIC ENERGY AGENCY, THE GOVERNMENT OF
 THE KINGDOM OF THAILAND AND THE GOVERNMENT OF
 THE UNITED STATES OF AMERICA FOR THE APPLICATION OF
 SAFEGUARDS AND PROVIDING FOR THE APPLICATION OF SAFEGUARDS
 PURSUANT TO THE NON-PROLIFERATION TREATY

The International Atomic Energy Agency (hereinafter referred to as the "Agency"), the Kingdom of Thailand and the United States of America;

RECOGNIZING that the Agency has been applying safeguards in accordance with the provisions of the Agreement between the International Atomic Energy Agency, the Government of the Kingdom of Thailand and the Government of the United States of America for the Application of Safeguards signed on 30 September 1964 (hereinafter referred to as the "Safeguards Transfer Agreement") [2] to materials, equipment and facilities required to be safeguarded under the Agreement for Co-operation between the Government of the United States of America and the Government of the Kingdom of Thailand concerning Civil Uses of Atomic Energy signed on 13 March 1956, as amended on 27 March 1957, 11 June 1960, 31 May 1962 and on 8 June 1964, (hereinafter referred to as the "Agreement for Co-operation") [3], to ensure so far as it is able that they will not be used in such a way as to further any military purpose;

RECOGNIZING that the Kingdom of Thailand, as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the "Treaty"), has concluded with the Agency an Agreement for the Application of Safeguards (hereinafter referred to as the "Treaty Safeguards Agreement") [4] pursuant to paragraph 1 of Article III of the Treaty;

RECOGNIZING that Article 23 of the Treaty Safeguards Agreement provides for the suspension of Agency safeguards applied pursuant to other safeguards agreements with the Agency; [5]

RECOGNIZING that, under Article VII of the Agreement for Co-operation, the Government of the Kingdom of Thailand has guaranteed that no material, including equipment and devices, transferred to the Government of the Kingdom of Thailand or authorized persons under its jurisdiction by purchase or otherwise pursuant to the Agreement for Co-operation will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose;

HAVE agreed:

1. The Treaty Safeguards Agreement shall be applied as therein provided and the Safe-guards Transfer Agreement shall be deemed to be suspended during the time and to the extent that the Treaty Safeguards Agreement is in force and safeguards specified in the Treaty Safeguards Agreement are being applied by the Agency.

[3] United Nations Treaty Series, Vol. 253, No. 3579.

[4] Reproduced in document INFCIRC/241.

[5] In relation to this provision, see document INFCIRC/68.

2. In the event that the Kingdom of Thailand intends to exercise its discretion in accordance with Article 14 of the Treaty Safeguards Agreement to use any nuclear material required to be safeguarded under that Agreement in a military activity not proscribed by the Treaty, the Government of the Kingdom of Thailand will satisfy the Agency and the Government of the United States of America that such material is not subject to the guarantees made to the Government of the United States of America by the Government of the Kingdom of Thailand in Article VII of the Agreement for Co-operation, and that no material, including equipment and devices, transferred from the United States of America to the Kingdom of Thailand under the Agreement for Co-operation are involved in such use.
3. This Protocol shall enter into force upon signature by or for the Director General of the Agency and by the authorized representatives of the Government of the Kingdom of Thailand and the Government of the United States of America.

DONE in Vienna, this 16th day of May 1974, in triplicate in the English language.

For the GOVERNMENT OF THE KINGDOM OF THAILAND:

(signed) Dej Talabhat

For the GOVERNMENT OF THE UNITED STATES OF AMERICA:

(signed) Dwight J. Porter

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) Y. Chernilin