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Information Circular

INFCIRC/433/Mod.2

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Agreement with the Government of India for the Application of Safeguards to all nuclear material subject to Agency safeguards under INFCIRC/154, Part 1, and under the Agreements between India and the IAEA contained in Exchanges of Letters dated 1 October and 1 December 1993

Suspension

The text of the Exchange of Letters constituting an agreement to suspend the application of safeguards under the Agreement with the Government of India for the Application of Safeguards to all nuclear material subject to Agency safeguards under INFCIRC/154, Part 1, and under the Agreements between India and the IAEA contained in Exchanges of Letters dated 1 October and 1 December 1993,¹ effective from 30 June 2016, is reproduced in this document for the information of all Member States.

¹ Reproduced in document INFCIRC/433.

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भारत



INFCIRC/433/Mod.2
Attachment

Minister of External Affairs
India

सुषमा स्वराज
Sushma Swaraj

२१ December, 2016

Excellency,

I have the honour to refer to the Agreement with the Government of India for the Application of Safeguards to all nuclear material subject to Agency safeguards under INFCIRC/154, Part I, and under the Agreements between India and the IAEA contained in Exchanges of Letters dated 1 October and 1 December 1993, which entered into force on 1 March 1994 (INFCIRC/433) (hereinafter referred to as the "1994 Safeguards Agreement") and to the Agreement between the Government of India and the International Atomic Energy Agency for the Application of Safeguards to Civilian Nuclear Facilities, which entered into force on 11 May 2009 (INFCIRC/754 and Corr.1) (hereinafter referred to as the "2009 Safeguards Agreement").

I would like to notify the IAEA that, as of 30 June 2016, the items subject to safeguards under the 1994 Safeguards Agreement are subject to safeguards under the 2009 Safeguards Agreement. In light of that and in accordance with paragraph 22 of the 2009 Safeguards Agreement, the Government of India wishes to propose that the application of safeguards under the 1994 Safeguards Agreement be suspended while the 2009 Safeguards Agreement is in force.

In this connection, I have the honour to confirm that India's undertaking under the 1994 Safeguards Agreement, that none of the items subject to that agreement shall be used for the manufacture of any nuclear weapon or to further any other military purpose and that such items shall be used exclusively for peaceful purposes and shall not be used for the manufacture of any nuclear explosive device, shall continue to apply.

I would appreciate receiving confirmation in writing that the above proposal is acceptable to the IAEA. This letter and your affirmative response shall constitute an agreement to suspend the application of safeguards under the 1994 Safeguards Agreement while the 2009 Safeguards Agreement is in force.

Please accept, Excellency, the assurances of my highest consideration.

Sushma Swaraj

H.E. Mr. Yukiya Amano
Director General
International Atomic Energy Agency
Vienna

INTERNATIONAL ATOMIC ENERGY AGENCY

THE DIRECTOR GENERAL

6 February 2017

Dear Minister,

I have the honour to refer to your letter dated 22 December 2016 in which the Government of India proposed the suspension of the application of safeguards under the Agreement with the Government of India for the Application of Safeguards to all nuclear material subject to Agency safeguards under INFCIRC/154, Part 1, and under the Agreements between India and the IAEA contained in Exchanges of Letters dated 1 October and 1 December 1993, which entered into force on 1 March 1994 (INFCIRC/433) (hereinafter referred to as the "1994 Safeguards Agreement"), in accordance with paragraph 22 of the Agreement between the Government of India and the International Atomic Energy Agency for the Application of Safeguards to Civilian Nuclear Facilities, which entered into force on 11 May 2009 (INFCIRC/754 and Corr.1) (hereinafter referred to as the "2009 Safeguards Agreement").

I have the honour to inform you that your proposal is acceptable to the IAEA. The IAEA agrees to suspend the application of safeguards under the 1994 Safeguards Agreement while the 2009 Safeguards Agreement is in force, in accordance with paragraph 22 of the 2009 Safeguards Agreement, effective from 30 June 2016.

Yours sincerely,


Yukiya Amano

HE Ms Sushma Swaraj
Minister for External Affairs of the
Republic of India
Ministry of External Affairs
9, Bhagvan Das Road
NEW DELHI 110 011
INDIA

cc: Permanent Mission of India to the IAEA