

No. 6283

**AUSTRALIA
and
JAPAN**

**Exchange of notes constituting an agreement relating to
co-operation in the civil uses of atomic energy.
Canberra, 7 August 1962**

Official text: English.

Registered by Australia on 28 August 1962.

**AUSTRALIE
et
JAPON**

**Échange de notes constituant un accord de coopération
relatif à l'utilisation de l'énergie atomique à des fins
civiles. Canberra, 7 août 1962**

Texte officiel anglais.

Enregistré par l'Australie le 28 août 1962.

No. 6283. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN AUSTRALIA AND JAPAN RELATING TO CO-OPERATION IN THE CIVIL USES OF ATOMIC ENERGY. CANBERRA, 7 AUGUST 1962

I

EMBASSY OF JAPAN
AUSTRALIA

Canberra, 7th August, 1962

Sir,

I have the honour to refer to recent discussions between our two Governments relating to co-operation in the civil uses of atomic energy and to set out hereunder the understanding of the Government of Japan as to this matter :

(1) Both Governments affirm their mutual concern in developing atomic energy for peaceful purposes, recognise the desirability of making available between the two countries nuclear material and specialized equipment for peaceful purposes, and emphasise their common interest in assuring that any material and equipment to be exchanged or transferred between the two countries in accordance with appropriate bilateral agreements will be subject to safeguards against diversion to military purposes.

(2) Both Governments agree that the use of the facilities and services of the International Atomic Energy Agency with regard to the application of safeguards against diversion will be mutually satisfactory for purposes of safeguarding the materials and equipment concerned.

(3) Whereas pursuant to Article III A 5 of the Statute the International Atomic Energy Agency² is authorised to apply safeguards at the request of the parties to any bilateral arrangement in the field of atomic energy; and whereas under the Agency safeguards system the administration of safeguards in accordance with Article III A 5 of the Statute shall be governed by an agreement between the Agency and the States concerned; both Governments agree to observe Agency safeguards procedures with respect to materials and equipment exchanged or transferred between the two countries and forthwith to request

¹ Came into force on 7 August 1962 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 276, p. 3; Vol. 293, p. 359; Vol. 312, p. 427; Vol. 316, p. 387; Vol. 356, p. 378; Vol. 394, p. 276; Vol. 407, p. 263, and Vol. 416, p. 342.

jointly the Agency to apply in accordance with Article III A 5 the safeguards against diversion prescribed in Article XII of the Statute to such materials and equipment as well as to facilities associated therewith.

If the Government of the Commonwealth of Australia confirms the understanding of the Government of Japan as described above, I have the honour to propose that this Note and Your Excellency's confirmatory reply should constitute an agreement between the two Governments in the matter, such agreement to be effective as from the date of Your Excellency's confirmatory reply.

I have the honour to be, Sir,
Your obedient servant,

(Signed) S. OHTA
Ambassador of Japan

The Hon. Sir Garfield Barwick, Q.C.
Minister for External Affairs for the
Commonwealth of Australia
Canberra

II

MINISTER FOR EXTERNAL AFFAIRS
CANBERRA A.C.T.

7th August, 1962

Your Excellency,

I have the honour to acknowledge receipt of your Note of today's date which reads as follows :

[See note I]

In reply thereto, I have the honour to inform you that the Government of the Commonwealth of Australia confirms the understanding of the Government of Japan as described above, and concurs in your proposal that your Note and this reply should constitute an agreement between our two Governments in the matter, such agreement to be effective as from today's date.

I have the honour to be, with high consideration,
Your Excellency's obedient servant,

(Signed) G. E. BARWICK

His Excellency Mr. Saburo Ohta
Ambassador Extraordinary and Plenipotentiary
of Japan
Embassy of Japan
Canberra, A.C.T.