

No. 8530

**INTERNATIONAL ATOMIC ENERGY AGENCY
and
PAKISTAN**

**Project Agreement regarding arrangements for the
transfer of therapeutic irradiation equipment.
Signed at Vienna, on 21 December 1965 and
15 March 1966**

Official text: English.

Registered by the International Atomic Energy Agency on 1 February 1967.

**AGENCE INTERNATIONALE
DE L'ÉNERGIE ATOMIQUE
et
PAKISTAN**

**Accord de projet concernant les dispositions à prendre
pour la livraison de matériel de radiothérapie.
Signé à Vienne, le 21 décembre 1965 et le
15 mars 1966**

Texte officiel anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 1^{er} février 1967.

No. 8530. PROJECT AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF PAKISTAN REGARDING ARRANGEMENTS FOR THE TRANSFER OF THERAPEUTIC IRRADIATION EQUIPMENT. SIGNED AT VIENNA, ON 21 DECEMBER 1965 AND 15 MARCH 1966

WHEREAS the Government of Pakistan (hereinafter called " Pakistan "), desiring to set up a radiotherapy centre in Hyderabad, has requested the assistance of the International Atomic Energy (hereinafter called the " Agency ") in securing radioisotopes and radiotherapy equipment therefor ;

WHEREAS the Government of the Union of Soviet Socialist Republic (hereinafter called " the Soviet Union ") has offered to make available to the Agency free of charge equipment for radiotherapy centres ;

WHEREAS Pakistan has informed the Agency that the equipment offered by the Soviet Union would meet its needs ;

WHEREAS the Soviet Union has informed the Agency of its readiness, pursuant to a decision by the Board of Governors of the Agency, to deliver that equipment to Pakistan ;

WHEREAS the Board of Governors of the Agency approved the project on 17 June 1965, and authorized the Director General to conclude with Pakistan a Project Agreement ;

The Agency and Pakistan hereby agree as follows :

Section 1. (a) The Agency will facilitate arrangements for the transfer to Pakistan of the following equipment : a Rum-7 short-focus X-ray unit and a 4000-curie Luch radiocobalt unit (together hereinafter called the " supplied equipment ").

(b) The supplied equipment will be installed at the Liaquat Medical College Hospital at Jamshoro.

Section 2. The arrangements for the delivery and installation of the supplied equipment will be made between Pakistan and the Soviet Union. These arrangements shall provide :

¹ Came into force on 15 March 1966 by signature, in accordance with section 8.

- (a) That title to the supplied equipment shall pass directly from the Soviet Union to Pakistan (or the designated organ of either) upon the dispatch of the supplied equipment from the Soviet Union.
- (b) That the transportation of the supplied equipment from the Soviet Union to Pakistan shall be, as far as possible, subject to the Agency's Regulations for the Safe Transport of Radioactive Materials.
- (c) For the settlement of any disputes between Pakistan and the Soviet Union.

Section 3. Pakistan agrees that the supplied equipment shall not be used in such a way as to further any military purpose.

Section 4. (a) The health and safety measures applicable to the project shall be those set forth in Agency document INFCIRC/18 (hereinafter called the "health and safety document").

(b) Pakistan shall apply to operations involving the supplied equipment the Agency's Basic Safety Standards and shall endeavour to ensure safety conditions as recommended in the relevant sections of the Agency's Codes of Practice.

(c) Pakistan shall submit the reports specified in paragraphs 25 (a), 26 and 27 of the health and safety document.

(d) The Agency shall be given the opportunity to carry out an inspection after the supplied equipment has been installed and before it is put into operation, and may also carry out special inspections under the circumstances specified in paragraph 32 of the health and safety document.

(e) Pakistan shall apply the relevant provisions of the Annex to Agency document GC(V)/INF/39 and of the Agreement on the Privileges and Immunities of the Agency¹ to the Agency's inspectors and to any property used by them in performing their functions.

Section 5. (a) Pursuant to paragraph B of Article VIII of the Statute of the Agency, Pakistan shall make available to the Agency without charge all scientific information developed as a result of the assistance extended by the Agency with respect to this project.

(b) The Agency does not claim any right in any inventions or discoveries arising from the implementation of the project. The Agency may, however, be granted licences under any patents upon terms to be agreed.

¹ United Nations, *Treaty Series*, Vol. 374, p. 147; for subsequent actions relating to this Agreement, see references in Cumulative Index No. 4, as well as annex A in volumes 412, 456, 463, 556, 566 and 570.

Section 6. The Agency shall at no time bear any responsibility for the transfer, installation, safe handling or use of the supplied equipment, or for any defect in the equipment.

Section 7. (a) Any dispute arising out of or relating to this Agreement which is not settled by negotiations or as may otherwise be agreed shall be submitted to an arbitral tribunal at the request of either Party.

(b) Each Party shall designate an arbitrator, and the two arbitrators so designated shall elect a third, who shall be the Chairman. If within thirty days of the request for arbitration either Party has not designated an arbitrator, or if within thirty days of the designation of the second arbitrator the third arbitrator has not been elected, either Party may request the President of the International Court of Justice to make the relevant appointment.

(c) The arbitral tribunal shall make decisions by majority vote. The arbitral procedure shall be established by the tribunal whose decisions, including all rulings concerning its constitution, procedure, jurisdiction and the division of expenses of arbitration between the Parties, shall be binding on all Parties.

(d) The remuneration of the arbitrators shall be determined on the same basis as that of *ad hoc* judges of the International Court of Justice.

Section 8. This Agreement shall enter into force upon signature by or for the Director General of the Agency and by the authorized representative of Pakistan.

For the International Atomic
Energy Agency :

Sigvard EKLUND

Vienna, 21 December 1965

For the Government
of Pakistan :

Akhtar HUSAIN

Vienna, 15 March 1966