

**INTERNATIONAL ATOMIC ENERGY AGENCY,
NORWAY and UNITED STATES OF AMERICA**

Protocol suspending the application of safeguards under the Agreement for co-operation between the Government of the United States of America and the Government of Norway concerning civil uses of atomic energy and providing for the application of safeguards by the International Atomic Energy Agency pursuant to the Non-Proliferation Treaty. Signed at Vienna on 25 September 1973

Authentic text: English.

Registered by the International Atomic Energy Agency on 12 March 1974.

**AGENCE INTERNATIONALE DE L'ÉNERGIE
ATOMIQUE,
NORVÈGE et ÉTATS-UNIS D'AMÉRIQUE**

Protocole portant suspension de l'application des garanties prévues dans l'Accord de coopération entre le Gouvernement des États-Unis d'Amérique et le Gouvernement norvégien concernant l'utilisation de l'énergie atomique à des fins civiles et prévoyant l'application de garanties par l'Agence internationale de l'énergie atomique conformément au Traité sur la non-prolifération des armes nucléaires. Signé à Vienne le 25 septembre 1973

Texte authentique : anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 12 mars 1974.

PROTOCOL¹ SUSPENDING THE APPLICATION OF SAFEGUARDS UNDER THE AGREEMENT FOR CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NORWAY CONCERNING CIVIL USES OF ATOMIC ENERGY² AND PROVIDING FOR THE APPLICATION OF SAFEGUARDS BY THE INTERNATIONAL ATOMIC ENERGY AGENCY PURSUANT TO THE NON-PROLIFERATION TREATY³

The International Atomic Energy Agency (hereinafter referred to as the "Agency"), the Government of the United States of America and the Government of Norway (hereinafter referred to as "Norway"):

RECOGNIZING that the United States has been applying safeguards in accordance with the provisions of the Agreement for co-operation between the Government of the United States of America and the Government of Norway concerning civil uses of atomic energy signed on 4 May 1967,² as amended,⁴ (hereinafter referred to as the "Agreement for co-operation") to materials, equipment and devices required to be safeguarded under the Agreement for co-operation to assure that they will not be used for any military purposes;

RECOGNIZING that the Kingdom of Norway, as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons³ (hereinafter referred to as the "Treaty"), has concluded with the Agency an Agreement for the application of safeguards⁵ (hereinafter referred to as the "Treaty Safeguards Agreement") pursuant to paragraph 1 of article III of the Treaty;

RECOGNIZING that article XII of the Agreement for co-operation provides for the suspension of the safeguards rights accorded to the Government of the United States by article X of that Agreement during the time and to the extent that the Agency's safeguards as specified in an agreement between the Agency, Norway and the United States apply to materials and facilities subject to safeguards under the Agreement for co-operation;

RECOGNIZING that under article XI of the Agreement for co-operation the Government of Norway has guaranteed that no material, including equipment and devices, transferred to the Government of Norway or authorized persons under its jurisdiction from the United States of America pursuant to the Agreement for co-operation and no special nuclear material produced as a result of such transfer will be used for any military purpose;

Have agreed:

1. The Treaty Safeguards Agreement shall be applied as therein provided to nuclear materials subject to the Agreement for co-operation.

¹ Came into force on 25 September 1973 by signature, in accordance with section 4.

² United Nations, *Treaty Series*, vol. 685, p. 217.

³ *Ibid.*, vol. 729, p. 161.

⁴ *Ibid.*, vol. 740, p. 452.

⁵ *Ibid.*, vol. 873, p. 161.

2. In the event that the Government of Norway 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 Norway 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 Norway in article XI of the Agreement for co-operation, and that no materials, equipment or facilities transferred from the United States of America to Norway under the Agreement for co-operation are involved in such use.

3. The Government of the United States of America and the Government of Norway agree that this Protocol constitutes an agreement of the kind referred to in paragraph A of article XII of the Agreement for co-operation, and that the safeguards rights accorded to the Government of the United States of America by article X of the Agreement for co-operation are deemed to be suspended during the time and to the extent that the Treaty Safeguards Agreement is in force and the safeguards specified therein are being applied by the Agency.

4. This Protocol shall enter into force upon signature.

DONE in Vienna, this twenty-fifth day of September 1973, in triplicate in the English language.

For the International Atomic Energy Agency:

SIGVARD EKLUND

For the Government of Norway:

IVOR LUNDE

For the Government of the United States of America:

GERALD F. TAPE