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THE TEXTS OF THE INSTRUMENTS CONNECTED WITH THE AGENCY'S ASSISTANCE TO FINLAND IN ESTABLISHING A RESEARCH REACTOR PROJECT

Letter relating to Agency safeguards and inspectors

1. On 3 February 1961, pursuant to Article V, paragraph 2, of the Project Agreement of 30 December 1960[1], the Board of Governors approved the text of a letter setting forth the details of Agency safeguards against diversion and the provisions regarding Agency inspectors required for the project of assistance to Finland.
2. The letter was sent to the Minister for Foreign Affairs of Finland by the Director General on 4 April 1961, and is reproduced in this document for the information of all Members of the Agency.

[1] INFCIRC/24, part II.

LETTER SENT BY THE DIRECTOR GENERAL TO THE
MINISTER FOR FOREIGN AFFAIRS OF FINLAND
RELATING TO AGENCY SAFEGUARDS
AND INSPECTORS

4 April 1961

Sir,

With reference to the Project Agreement of 30 December 1960 between the Agency and your Government and to our subsequent consultations concerning the subject of safe-guards, I have the honor to inform you that the Board of Governors has approved the safeguards provisions that will be applicable to the Agency project pursuant to Article V of the Agreement. If it is found necessary to amend or extend these provisions, the Agency will consult with your Government prior to making such changes. If your Government desires to use or store any material furnished pursuant to the Project Agreement in facilities other than the reactor facility, or if it desires to use other fuel elements in such reactor facility, or if it desires to process any such material or to send any of it out of Finland, it shall inform the Agency a sufficient time in advance to permit the preparation of any appropriate additional provisions.

I. Safeguards against diversion

A. General

1. The project will be subject to Agency safeguards in accordance with Article XII of the Statute of the Agency, with the appropriate provisions of document INFCIRC/26 (hereinafter referred to as "the safeguards document") and with Article V of the Project Agreement. These safeguards will be applied in a nominal manner in accordance with paragraph 60 of the safeguards document, as specified in section C below.
2. The reactor facility consists of the reactor and of storing and cooling facilities for the supplied and produced material and of ancillary laboratory facilities in which such material is used.
3. The definitions used in this letter correspond to those in part II of the safeguards document.

B. Attachment and termination of Agency safeguards

4. Agency safeguards will be attached to:
 - (a) That portion of the material supplied by the Agency pursuant to the Project Agreement (in this letter referred to as the "supplied material") which is in excess of the lower limit stated in paragraph 32(b) of the safeguards document.
 - (b) The reactor facility, provided that it may be exempted from such attachment after the inspection at initial criticality pursuant to paragraph 36 of the safeguards document.

His Excellency
Ralf Törngren
Minister for Foreign Affairs
Ministry of Foreign Affairs
Helsinki
Finland

- (c) The special fissionable material produced (in this letter referred to as the "produced material") in that portion of the supplied material to which Agency safeguards are attached or under the conditions of paragraph 35 of the safeguards document.
5. The attachment of Agency safeguards shall be terminated or suspended in accordance with paragraphs 38 and 39 of the safeguards document.
- C. Application of Agency safeguards
6. Agency safeguards will be applied to:
- (a) Nuclear material to which Agency safeguards are attached.
 - (b) Nuclear material while it is intermixed with nuclear material to which Agency safeguards are attached.
 - (c) The reactor facility, if Agency safeguards are attached to it or while it contains nuclear material to which Agency safeguards are attached.
 - (d) Any facility which uses, stores or processes material to which Agency safeguards are attached.
7. Your Government shall arrange for the submission to the Agency of the design and other information on the reactor facility necessary in order to enable the Agency to perform its task in accordance with paragraph 42 of the safeguards document, to the extent that this information is not yet available to the Agency.
8. Your Government shall arrange for the keeping of records in accordance with paragraphs 45 and 46 of the safeguards document and with a system established in accordance with paragraph 44 of the safeguards document.
9. Your Government shall arrange for the submission of routine and special reports in accordance with paragraphs 48 - 53 of the safeguards document and with a system established in accordance with paragraph 47 of the safeguards document. The routine operating and accounting reports shall be submitted annually; the first report shall be submitted at the time any of the supplied material is first received at the reactor facility.
10. No routine inspections shall be carried out, but special inspections may be made as necessary in accordance with paragraphs 58 and 59 of the safeguards document.
- II. Measures concerning Agency inspectors
11. The provisions concerning Agency inspectors performing functions under Articles V and VI of the Project Agreement shall be those set out in document GC(IV)/INF/27, Annex.

With assurance of my highest esteem

Sterling Cole
Director General