



**TREATY SERIES 1990**

**No. 12**

**Revised Supplementary Agreement Concerning the Provision of  
Technical Assistance by the International Atomic Energy Agency  
to the Government of Ireland**

Done at Vienna on 23 December 1988 and at Dublin on 14 December 1990

Entered into force on 14 December 1990

Presented to Dáil Éireann by the Minister for Foreign Affairs and Trade

REVISED SUPPLEMENTARY AGREEMENT CONCERNING THE PROVISION OF  
TECHNICAL ASSISTANCE BY THE INTERNATIONAL ATOMIC ENERGY AGENCY  
TO THE GOVERNMENT OF IRELAND

THE INTERNATIONAL ATOMIC ENERGY AGENCY (hereinafter called the “Agency”) and THE GOVERNMENT OF IRELAND (hereinafter called the “Government”) hereby enter into this Agreement concerning the provision of technical assistance to the Government by or through the Agency.

Article I

*Standard Basic Assistance Agreement*

The Government and the Agency shall apply to the technical assistance provided to the Government by or through the Agency the provisions of the United Nations Development Programme Standard Basic Assistance Agreement, a copy of which is set out in Annex A to this Agreement.

Article II

*Safety Standards and Measures*

The Government shall apply to the operations making use of the technical assistance provided to it pursuant to this Agreement the Agency’s Safety Standards and Measures defined in document INFCIRC/18/Rev.1 and the applicable safety standards as they are established in accordance with that document and as they may be revised from time to time.

Article III

*Peaceful Use Undertaking and Safeguards*

1. The Government undertakes that the technical assistance it receives pursuant to this Agreement shall be used only for peaceful applications of atomic energy and, in particular, that such assistance shall not be used for the manufacture of nuclear weapons, for the furtherance of any military purpose and for uses which could contribute to the proliferation of nuclear weapons, such as research on, development, testing or manufacture of a nuclear explosive device.

2. To this end and to the extent required by the Board of Governors of the Agency, the Agency’s safeguards rights and responsibilities provided for in paragraph A of Article XII of its statute shall be implemented and maintained with respect to a project subject to this Agreement pursuant to an applicable safeguards agreement which is in force between the Government and the Agency, or, in the absence of such an agreement, pursuant to a safeguards agreement to be concluded between the Government and the Agency prior to the implementation of the assistance approved for the project.

**Article IV**  
*Physical Protection*

To the extent relevant, the Government shall take all the measures necessary for the physical protection of nuclear facilities, equipment and materials relating directly to the technical assistance provided by or through the Agency. The Government shall be guided by the recommendations of the Agency set forth in document INFCIRC/225/Rev.1 and as they may be revised from time to time.

**Article V**  
*Title of Equipment or Materials*

Unless otherwise agreed by the Parties to this Agreement, title to the equipment and materials provided to the Government by or through the Agency in relation to a project subject to this Agreement shall vest in the Government upon receipt of the notification by the Agency that the implementation of the technical assistance relating to the project is completed. The Government shall thereupon assume full and exclusive responsibility and all liabilities for the handling, use, maintenance, storage and disposal of such equipment and materials. Upon such transfer of title to the equipment or materials, the Government undertakes that:

- (a) It shall ensure the proper operation and adequate maintenance of the equipment;
- (b) The equipment shall be made available for use by any expert provided by or through the Agency as may be required for the discharge of his professional duties; and
- (c) To the extent relevant, the use of the equipment and materials shall be subject to the provisions of Article III of this agreement.

**Article VI**  
*Settlement of Disputes*

Any disputes concerning the interpretation or application of this Agreement which cannot be settled by negotiation or another agreed mode of settlement shall be submitted to arbitration at the request of either Party to this Agreement. Each Party shall appoint one arbitrator, and the two arbitrators so appointed shall elect a third, who shall be the Chairman. If within thirty days of the request for arbitration either Party has not appointed an arbitrator or within fifteen days of the appointment of the of the second arbitrator the third arbitrator has not been elected, either party may request the Secretary General of the United Nations to appoint an arbitrator. A majority of members of the arbitral tribunal shall constitute a quorum, and all decisions shall be made by majority vote. The arbitral procedure shall be established by the arbitrators, and the expenses of the arbitration shall be borne by the parties as assessed by the arbitrators. The arbitral award shall contain a statement of the reasons on which it is based and shall be accepted by the parties as the final adjudication of the dispute.

**Article VII**  
*Entry into Force*

This agreement shall enter into force upon signature by the authorized representative of the Government and by or for the Director General of the Agency.

For the Government of Ireland

For the International Atomic Agency

Gerard Collins  
Minister for Foreign Affairs  
Dublin 14 December 1990

Hans Blix  
Director General  
Vienna 23 December 1988