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AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE AGENCY

Acceptances by Member States

1. The list of Member States overleaf shows the 35 Members which, by 1 November 1969, had accepted the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, as provided for in Section 38 thereof. Members are listed in alphabetical order, which is different in versions of this document in other languages.
2. The list is followed by the texts of such reservations to the Agreement as some of the Members in question made when depositing their respective instruments of acceptance with the Director General. The reservations are reproduced in the sequential order of the deposit of the instruments of acceptance to which they relate.

THE AGENCY'S AGREEMENT ON PRIVILEGES AND IMMUNITIES

Acceptances of the Agreement

| Member | Deposit of instrument of acceptance of the Agreement | | Reservations to the Agreement reproduced (following the list) under number |
|---|--|----------|---|
| | Date | Sequence | |
| Afghanistan | | | |
| Albania | | | |
| Algeria | | | |
| Argentina | 15 Oct 63 | 18 | |
| Australia | | | |
| Austria | | | |
| Belgium | 26 Oct 65 | 20 | 7 |
| Bolivia | 10 Apr 68 | 30 | |
| Brazil | 13 Jun 66 | 21 | |
| Bulgaria | 17 Jun 68 | 31 | 14 |
| Burma | | | |
| Byelorussian Soviet Socialist Republic | 2 Dec 66 | 25 | 11 |
| Cambodia | | | |
| Cameroon | | | |
| Canada | 15 Jun 66 | 22 | 8 |
| Ceylon | | | |
| Chile | | | |
| China | | | |
| Colombia | | | |
| Congo, Democratic Republic of the | | | |
| Costa Rica | | | |
| Cuba | | | |
| Cyprus | | | |
| Czechoslovak Socialist Republic | 7 Feb 68 | 29 | 13 |
| Denmark | 14 Mar 62 | 10 | 4 |
| Dominican Republic | | | |
| Ecuador | 16 Apr 69 | 32 | |
| El Salvador | | | |
| Ethiopia | | | |
| Finland | 29 Jul 60 | 1 | |
| France | | | |
| Gabon | | | |
| Germany, Federal Republic of | 4 Aug 60 | 2 | 1 |
| Ghana | 16 Dec 63 | 19 | |
| Greece | | | |
| Guatemala | | | |
| Haiti | | | |
| Holy See | | | |
| Hungary | 14 Jul 67 | 26 | 12 |
| Iceland | | | |
| India | 10 Mar 61 | 4 | |
| Indonesia | | | |
| Iran | | | |
| Iraq | 23 Nov 60 | 3 | |
| Israel | | | |
| Italy | | | |
| Ivory Coast | | | |

| Member | Deposit of instrument of acceptance of the Agreement | | Reservations to the Agreement reproduced (following the list) under number |
|---|--|----------|---|
| | Date | Sequence | |
| Jamaica | 5 Sep 67 | 27 | |
| Japan | 18 Apr 63 | 15 | |
| Jordan | | | |
| Kenya | | | |
| Korea, Republic of | 17 Jan 62 | 9 | 3 |
| Kuwait | | | |
| Lebanon | | | |
| Liberia | | | |
| Libyan Arab Republic | | | |
| Liechtenstein | | | |
| Luxembourg | | | |
| Madagascar | | | |
| Malaysia | | | |
| Mali | | | |
| Mexico | | | |
| Monaco | | | |
| Morocco | | | |
| Netherlands | 29 Aug 63 | 16 | |
| New Zealand | 22 Jun 61 | 5 | |
| Nicaragua | | | |
| Niger | 17 Jun 69 | 33 | |
| Nigeria | | | |
| Norway | 10 Oct 61 | 8 | |
| Pakistan | 16 Apr 63 | 14 | 6 |
| Panama | | | |
| Paraguay | | | |
| Peru | | | |
| Philippines | 17 Dec 62 | 12 | |
| Poland | | | |
| Portugal | | | |
| Romania | | | |
| Saudi Arabia | | | |
| Senegal | | | |
| Sierra Leone | | | |
| Singapore | | | |
| South Africa | | | |
| Spain | | | |
| Sudan | | | |
| Sweden | 8 Sep 61 | 6 | |
| Switzerland | 16 Sep 69 | 35 | 15 |
| Syrian Arab Republic | | | |
| Thailand | 15 May 62 | 11 | 5 |
| Tunisia | 28 Dec 67 | 28 | |
| Turkey | | | |
| Uganda | | | |
| Ukrainian Soviet Socialist Republic | 5 Oct 66 | 24 | 10 |
| Union of Soviet Socialist Republics | 1 Jul 66 | 23 | 9 |
| United Arab Republic | 12 Feb 63 | 13 | |
| United Kingdom of Great Britain and Northern Ireland | 19 Sep 61 | 7 | 2 |
| United States of America | | | |
| Uruguay | | | |
| Venezuela | | | |
| Viet-Nam | 31 Jul 69 | 34 | |
| Yugoslavia | 14 Oct 63 | 17 | |
| Zambia | | | |

Reservations to the Agreement

1. Germany, Federal Republic of

"The Government reserves, with reference to Article VI, Section 18(a)(ii) of said Agreement, the right to tax citizens of the Federal Republic of Germany inasmuch as this right has not been renounced by double taxation treaties." (Original English)

2. United Kingdom of Great Britain and Northern Ireland

(a) "(1) The Government of the United Kingdom do not undertake to grant any privileges or immunities under Section 18(a)(iii), (v) and (vi), Section 18(b), Section 20, or Section 23(a) and (f) to any person who is a citizen of the United Kingdom and Colonies.

"(2) The Government of the United Kingdom, while undertaking to grant privileges and immunities under Section 20 to Deputy Directors General, do not undertake to grant any privileges or immunities under Section 20 to any other official acting on behalf of the Director General of the Agency during his absence from duty.

"(3) The Government of the United Kingdom do not undertake to apply the said Agreement in any of the territories for whose international relations they are responsible other than the Channel Islands and the Isle of Man." (Original English)

(b) Amendments in the following terms to Reservations (1) and (3) above were communicated in a note dated 13 July 1962:

" the Government of the UK desire to withdraw in part Res. (1) to the said Acceptance. The revised reservation should read:

'The Government of the United Kingdom do not undertake to grant to any person who is a citizen of the United Kingdom and Colonies any privileges or immunities under:

Section 18(a)(iii), (v) and (vi);

Section 18(b) - to the extent that that paragraph entails the grant of the privileges and immunities referred to in Section 23(a) and (f);

Section 20; or

Section 23(a) and (f).

' the Government of the United Kingdom desire to withdraw Reservation (3) to their Acceptance, except that, in its application to the Federation of Rhodesia and Nyasaland, Reservation (1) to the said Acceptance shall read as if the words "or a citizen of the Federation of Rhodesia and Nyasaland" were included after the words "any person who is a citizen of the United Kingdom and Colonies" and that, in its application to the State of Singapore, Reservation (1) to the said Acceptance shall read as if the words "or a citizen of the State of Singapore" were included after the words "any person who is a citizen of the United Kingdom and Colonies".' " (Original English)

- (c) A further amendment to Reservation (1) was communicated in a letter dated 10 December 1965. It reads:

"The Government of the United Kingdom do not undertake to grant to any person who is a citizen of the United Kingdom and Colonies, or, in the application of the Agreement to Southern Rhodesia, to any person who is a citizen of the United Kingdom and Colonies or a citizen of Southern Rhodesia, any privileges and immunities under:

Section 18(a)(iii), (v) and (vi);

Section 18(b) - to the extent that that paragraph entails the grant of the privileges and immunities referred to in Section 23(a) and (f);

Section 20; or

Section 23(a) and (f)." (Original English)

3. Korea, Republic of

"Locally recruited personnel who are considered as officials of the Agency under the Agreement shall not enjoy the privileges and immunities set forth in paragraphs (ii), (iii), (iv), (v) and (vi) of Section 18, and Section 19." (Original Korean; English translation furnished by the Government)

4. Denmark

"Notwithstanding Sections 20 and 32, the Danish Government reserve the right to apply the Danish legislation concerning duties and excise taxes to Danish citizens, and to other persons in so far as they conduct private business in Denmark." (Original English)

5. Thailand

".... with the reservation that the officials of the Agency to be accorded privileges and immunities according to this Agreement who are of Thai nationality shall not be immune from national service obligation." (Original English)

6. Pakistan

(a) ".... with the reservation that the concessions and privileges conferred by the Agreement on the employees of the Agency should not be admissible to the Pakistani nationals serving on the staff of the Agency in Pakistan." (Original English)

(b) An amended version of this reservation was communicated in a note dated 29 September 1966. It reads:

".... with the reservation that the concessions and privileges conferred by the Agreement on the employees of the Agency, other than those which also follow from Article XV of the Statute, such as immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity, should not be admissible to the Pakistani nationals serving on the staff of the Agency in Pakistan." (Original English)

7. Belgium

"In accordance with Article XII, Section 38 of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, approved by the Board of Governors at Vienna on 1 July 1969, the Government of the Kingdom of Belgium hereby excludes from the application of the said Agreement the provisions contained in the last sentence of Article VI, Section 20." (Original French; translation by the Secretariat)

8. Canada

". . . . exemption from liability for any taxes or duties imposed by any law in Canada should not extend to a Canadian citizen residing or ordinarily resident in Canada." (Original English)

9. Union of Soviet Socialist Republics

"The Union of Soviet Socialist Republics does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to submit to the jurisdiction of the International Court of Justice. With regard to the question of referring to the International Court of Justice differences arising out of the interpretation or application of the Agreement, the USSR adheres as before to the position that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the opinion given by the Court shall be accepted as decisive." (Original Russian; translation by the Secretariat)

10. Ukrainian Soviet Socialist Republic

"The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to refer to the International Court of Justice all disputes arising out of the interpretation or application of the Agreement. With regard to the question of the Court's jurisdiction in respect of such disputes, the Ukrainian SSR continues to take the view that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the advisory opinion given by the Court shall be accepted by the parties as decisive." (Original Russian; translation by the Secretariat)

11. Byelorussian Soviet Socialist Republic

"The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to submit to the jurisdiction of the International Court of Justice. With regard to the question of referring to the International Court of Justice differences arising out of the interpretation or application of the Agreement, the Byelorussian SSR adheres as before to the position that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the opinion given by the Court shall be accepted as decisive." (Original Russian; translation by the Secretariat)

12. Hungary

"The Hungarian People's Republic accepts Sections 26 and 34 of the Agreement with the reservation that disputes regarding the interpretation and application of the Agreement shall be referred to the International Court of Justice only with the consent of all parties involved in the given dispute.

"The Hungarian People's Republic makes a reservation also with regard to the provision in Section 34 making the advisory opinion of the Court decisive in certain cases." (Original Hungarian; certified English translation furnished by the Government)

13. Czechoslovak Socialist Republic

".... the Czechoslovak Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, which assume the obligatory jurisdiction of the International Court of Justice with regard to differences arising out of the interpretation or application of the Agreement; as regards the competence of the International Court of Justice in respect to such differences, the Czechoslovak Socialist Republic holds the view that, for a specific difference to be referred for settlement to the International Court of Justice, the consent of all parties thereto must be obtained in each individual case. This reservation also refers to the provisions of Section 34, according to which the parties shall accept as decisive the opinion given by the International Court of Justice." (Original Czech; translation by the Secretariat)

14. Bulgaria

"The People's Republic of Bulgaria does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement. The People's Republic of Bulgaria considers that a dispute on the interpretation and application of the Agreement may be referred to the International Court of Justice only after the parties to the dispute have given their consent in respect of each individual case. This reservation applies equally to Section 34, which states that the opinion of the Court shall be accepted as decisive by the parties." (Original Bulgarian; translation by the Secretariat from a certified French translation furnished by the Government)

15. Switzerland

"With regard to Article VI, Section 19, second paragraph, Switzerland reserves the right not to grant the deferments in call-up requested by the Agency, it being understood however that such requests will receive sympathetic consideration on the part of the competent Federal authorities." (Original French; translation by the Secretariat)