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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 41 Members which, by 30 November 1972, 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 sequence in which the instruments of acceptance to which they relate were deposited.

^{*/} This Addendum brings up to date, and hence supersedes, Addendum 2.

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			
Bangladesh			
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
Cameroon			
Canada	15 Jun 66	22	8
Chile			
China			
Colombia			
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	
Egypt, Arab Republic of	12 Feb 63	13	
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	2 Nov 70	38	
Guatemala			
Haiti			
Holy See			
Hungary	14 Jul 67	26	12
Iceland			
India	10 Mar 61	4	
Indonesia	4 Jun 71	39	18
Iran			
Iraq	23 Nov 60	3	
Ireland	29 Feb 72	40	
Israel			
Italy			
Ivory Coast			
Jamaica	5 Sep 67	27	
Japan	18 Apr 63	15	
Jordan			

Member	Deposit of instrument of acceptance of the Agreement		Reservations to the Agreement reproduced (following the list) under number
	Date	Sequence	
Kenya			
Khmer Republic			
Korea, Republic of	17 Jan 62	9	3
Kuwait			
Lebanon			
Liberia			
Libyan Arab Republic			
Liechtenstein			
Luxembourg	24 Mar 72	41	19
Madagascar			
Malaysia			
Mali			
Mexico			
Monaco			
Morocco			
Netherlands	29 Aug 63	16	
New Zealand	22 Jun 61	5	
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	24 Jul 70	36	16
Portugal			
Romania	7 Oct 70	37	17
Saudi Arabia			
Senegal			
Sierra Leone			
Singapore			
South Africa			
Spain			
Sri Lanka			
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 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	
Zaire, Republic of			
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)

16. Poland

"... with the reservation, in respect of Sections 26 and 34 of the Agreement, that differences arising out of the interpretation and application of the Agreement may be referred to the International Court of Justice only with the consent of all parties to the dispute. The People's Republic of Poland further reserves the right not to accept the advisory opinion of the International Court of Justice as decisive;" (Original French; translation by the Secretariat)

17. Romania

"... the Socialist Republic of Romania does not consider itself bound by the provisions of Section 34, or by the provisions of Section 26 to the extent that they refer to Section 34. The Socialist Republic of Romania holds the view that differences arising out of the interpretation or application of the Agreement may be referred to the International Court of Justice only with the consent, in each individual case, of all parties to the dispute." (Original French; translation by the Secretariat)

18. Indonesia

"Article II, Section 2(b):

The capacity of the International Atomic Energy Agency to acquire and dispose of immovable property shall be exercised with due regard to national laws and regulations.

"Article X, Section 34:

With regard to the competence of the International Court of Justice in disputes concerning the interpretation or application of the Convention, the Government of Indonesia reserves the right to maintain that in every individual case the agreement of the parties to the dispute is required before the Court for a ruling.

"Article VI, Section 18:

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 Indonesian Nationals serving on the staff of the Agency in Indonesia."

(Original English)

19. Luxembourg

"In applying the provisions of Article XII, Section 38 of the Agreement, Luxembourg will not give effect to the last sentence of Article VI, Section 20." (Original French; translation by the Secretariat)