

# Information Circular

**INFCIRC/209/Rev.2/Corr.1**

Date: 6 July 2009

**General Distribution**

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## Communication of 2 June 2009 received from the Permanent Mission of the United Kingdom regarding the Export of Nuclear Material and of Certain Categories of Equipment and Other Material

1. The Director General has received a *note verbale* from the Permanent Mission of the United Kingdom, dated 2 June 2009, in which it requests that the Agency circulate to all Member States a letter of 28 May 2009 from the Chairman of the Zangger Committee, Mr Pavel Klucký, to the Director General, on behalf of the Governments of Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, the Republic of Korea, Luxemburg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom and the United States of America, concerning a number of corrections to the communication regarding the export of nuclear material and of certain categories of equipment and other material published in INFCIRC/209/Rev.2.
2. In the light of the wish expressed in the above-mentioned *note verbale*, the text of the *note verbale* as well as the letter are hereby reproduced for the information of all Member States.

Note No 012/09

The Permanent Mission of the United Kingdom to the International Atomic Energy Agency and to the Preparatory Commission for the CTBTO presents its compliments to the Agency and has the honour to forward a letter, dated 28 May 2009, from Pavel Klucky, Chairman of the Zangger Committee, regarding corrections agreed by the Committee to INFCIRC/209, to be conveyed to the Director General of the International Atomic Energy Agency, Dr Mohamed ELBARADEI.

The Permanent Mission of the United Kingdom has the honour to request that the above-mentioned corrections to INFCIRC/209 be circulated amongst the Member States of the IAEA.

The Permanent Mission of the United Kingdom to the International Atomic Energy Agency and to the Preparatory Commission for the CTBTO avails itself of this opportunity to renew to the Agency the assurances of its highest consideration.

UNITED KINGDOM MISSION

VIENNA

2 June 2009

International Atomic Energy Agency

# CHAIRMAN OF THE ZANGGER COMMITTEE

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Dear Director General,

I, on behalf of the Czech Republic and all other Zangger Committee Members, which are Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, the Republic of Korea, Luxemburg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom and the United States of America, have the honour to refer to relevant previous communications from the Resident Representatives of the Governments of all Member States of the Zangger Committee to the International Atomic Energy Agency.

In the years since the procedures described in INFCIRC/209 were formulated for the export of certain categories of equipment and material especially designed or prepared for the processing, use or production of special fissionable material, developments in nuclear technology have brought about the need to clarify parts of the Trigger List originally incorporated in Memorandum B of INFCIRC/209. Such clarifications have been covered in the INFCIRC/209/Mods. 1, 2, 3 and 4/Corr.1 (consolidated in INFCIRC/209/Rev.1), INFCIRC/209/Rev.1/Mods. 1, 2, 3 and 4/Corr.1, INFCIRC/209/Rev.2 and [INFCIRC/209/Rev.2/Mod 1].

The Governments of the above referenced States have noticed that INFCIRC/209/Rev.2 contains some errors. The details of the required corrections (highlighted in bold) are as follows:

## Memorandum A

On page 2, paragraph 3 The Application of Safeguards reads:

“The Government is solely concerned with ensuring, where relevant, the application of safeguards non-nuclear-weapon States not party to the Treaty on the Non-Proliferation of Nuclear Weapons...”

This entry should read:

“The Government is solely concerned with ensuring, where relevant, the application of safeguards **in** non-nuclear-weapon States not party to the Treaty on the Non-Proliferation of Nuclear Weapons...”

## Memorandum B

On page 4, Memorandum B, Trigger List entry 2.4 reads:

“Plants for the fabrication of fuel elements (see Annex, section 4.);”

This entry should read:

“Plants for the fabrication of fuel elements, **and equipment especially designed or prepared therefor** (see Annex, section 4.);”

On page 4, Memorandum B, Trigger List entry 2.6 reads:

“Plants for the production of heavy water, deuterium and deuterium compounds and equipment designed or prepared therefor (see Annex, section 6.).”

This entry should read:

“Plants for the production of heavy water, deuterium and deuterium compounds, and equipment **especially** designed or prepared therefor (see Annex, section 6.).”

On page 4, Memorandum B, paragraph 3 The Application of Safeguards reads:

“The Government is solely concerned with ensuring, where relevant, the application of safeguards in non-nuclear-weapon States not party to the Treaty on the Non-Proliferation of Nuclear Weapons...”

This entry should read:

“The Government is solely concerned with ensuring, where relevant, the application of safeguards in non-nuclear-weapon States not party to the Treaty on the Non-Proliferation of Nuclear Weapons...”

As hitherto, each of these Governments reserves to itself the right to exercise discretion with regard to the implementation and interpretation of the procedures set out in the above mentioned documents and the right to control, if it wishes, the export of relevant items other than those specified in the aforementioned attachment.

Insofar as trade within the European Union is concerned, the Governments of the European Union Member States will implement these procedures in the light of their commitments as Member States of that Union.

His Excellency  
Dr. Mohamed ElBaradei  
Director General  
International Atomic Energy Agency  
Vienna

I should be grateful if you would circulate the text of this letter and a corrigenda to Memoranda A and B as set out above to all International Atomic Energy Agency Member States for their information.

Accept, Director General, the assurances of my highest consideration.

Vienna 28 May 2009

A handwritten signature in black ink, appearing to be 'PK', written in a cursive style.

Pavel Klucký  
Chairman of the Zangger Committee