(b) with respect to all nuclear material in all nuclear activities within the Republic of Kazakhstan, when the recipient is the Government of the Republic of Kazakhstan or persons under its jurisdiction authorized by it. Implementation of the Safeguards Agreement for the Republic of Kazakhstan shall be considered as fulfilling this requirement.

ARTICLE 4

1. Cooperation under this Agreement shall be carried out only for peaceful and non-explosive purposes.

2. Nuclear material, special non-nuclear material, equipment and technology transferred pursuant to this Agreement, equipment based on technology and nuclear material recovered or produced as a by-product shall not be used other than for peaceful purposes; nor shall they be used for any nuclear explosive device, for research on or for development of any such device.

ARTICLE 5

1. To ensure the fulfillment of the obligations arising under Article 4 of this Agreement, nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product:

(a) while within Japan, shall be subject to the Safeguards Agreement for Japan; and

(b) while within the Republic of Kazakhstan, shall be subject to the Safeguards Agreement for the Republic of Kazakhstan.

2. In the event that for any reason the Agency does not apply safeguards as required by paragraph 1 of this Article, the Parties shall, in view of the vital importance for nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product to remain permanently subject to safeguards, forthwith consult to take rectifying measures and, in the absence of such rectifying measures, shall immediately enter into arrangements which conform to safeguards principles and procedures of the Agency and provide effectiveness and coverage equivalent to that intended to be provided by the safeguards of the Agency specified in paragraph 1 of this Article.

ARTICLE 6

In implementing the provisions of this Agreement, Japan and the Republic of Kazakhstan shall act in conformity with the provisions of the Convention on Early Notification of a Nuclear Accident, adopted on September 26, 1986, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, adopted on September 26, 1986, the Convention on Nuclear Safety, adopted on June 17, 1994 and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, done on September 5, 1997.

ARTICLE 7

1. In respect of nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product, the Parties shall apply measures of physical protection according to their respective criteria which bring about, as a minimum, protection at levels set out in Annex B to this Agreement.

2. In respect of international transport of nuclear material subject to this Agreement, Japan and the Republic of Kazakhstan shall act in conformity with the provisions of the Convention on the Physical Protection of Nuclear Material, opened for signature on March 3, 1980.

3. Japan and the Republic of Kazakhstan shall respectively take appropriate measures in accordance with the provisions of the International Convention for the Suppression of Acts of Nuclear Terrorism, opened for signature on September 14, 2005.

ARTICLE 8

Nuclear material, special non-nuclear material, equipment and technology transferred pursuant to this Agreement, equipment based on technology and nuclear material recovered or produced as a by-product shall not be transferred or retransferred beyond the jurisdiction of the receiving Party, except into the jurisdiction of the supplying Party, unless the prior written consent of the supplying Party is obtained.