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

3. In the exceptional event that for any reason the Agency does not apply safeguards as required by paragraph 2 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 jointly with the Agency 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 2 of this Article.

ARTICLE 5

1. In implementing the provisions of this Agreement, Japan and the Republic of Turkey shall act in conformity with the existing obligations of each State under the provisions of the Convention on Early Notification of a Nuclear Accident, adopted on 26 September 1986, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, adopted on 26 September 1986, and the Convention on Nuclear Safety, adopted on 17 June 1994.

2. Japan shall act in conformity with the provisions of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, done on 5 September 1997. Upon the conclusion of the said Convention, the Republic of Turkey shall act in conformity with its provisions.

3. In respect of facilities in which nuclear material, material, equipment or technology transferred pursuant to this Agreement, equipment based on technology or nuclear material recovered or produced as a by-product is located or used, the Parties may make mutually satisfactory arrangements for the implementation of measures to ensure the safety of such facilities.

4. The Parties may hold periodic bilateral consultations for the purpose of enhancing nuclear safety including preparedness and response to nuclear incidents.

ARTICLE 6

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 transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product, Japan and the Republic of Turkey shall act in conformity with the existing obligations of each State under the provisions of the Convention on the Physical Protection of Nuclear Material, opened for signature on 3 March 1980.

3. Either Party may consult with the other Party for the purpose of reviewing the adequacy of measures of physical protection related to nuclear material transferred pursuant to this Agreement prior to the transfer and nuclear material recovered or produced as a by-product.

4. The Parties shall act in conformity with the existing obligations of each State under the provisions of the International Convention for the Suppression of Acts of Nuclear Terrorism, opened for signature on 14 September 2005.

ARTICLE 7

Nuclear material, 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 State of the receiving Party, except into the jurisdiction of the State of the supplying Party, unless the prior written consent of the supplying Party is obtained.

ARTICLE 8

Nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product may be enriched or reprocessed within the jurisdiction of the Republic of Turkey, only if the Parties agree in writing.