

June 11, 1960

**AGREEMENT CONSTITUTING AN AMENDMENT TO THE
AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND
THE UNITED STATES OF AMERICA FOR COOPERATION
CONCERNING THE CIVIL USES OF ATOMIC ENERGY**

Note: This Agreement entered into force, July 15, 1960.

Reference: This Agreement is also published in 377 UNTS, p. 420.

The Government of the United States of America and the Government of the Republic of the Philippines,

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy, signed at Washington on July 27, 1955 (hereinafter referred to as the "Agreement for Cooperation"),

Agree as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the provisions of Articles V and VII (A), the Parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this Agreement shall be the responsibility of the Party which receives and uses such information or data, and it is understood that the other cooperating Party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

Article II, paragraphs B and C of the Agreement for Cooperation are amended to read as follows:

"B. The quantity of uranium enriched in the isotope U-235 transferred by the Commission under this Article and in the custody of the Government of the Republic of the Philippines shall not at any time be in excess of six

(6) kilograms of contained U-235 in uranium enriched up to a maximum of twenty per cent (2096) U-235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling in the Philippines or while fuel is in transit, it being the intent of the Commission to make possible the maximum usefulness of the six (6) kilograms of said material.

"C. When any fuel containing U-235 leased by the Commission requires replacement, it shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission."

ARTICLE III

The following new article is added directly under Article III of the Agreement for Cooperation:

"Article III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of the Republic of the Philippines, or persons under its jurisdiction, including source materials, special nuclear materials, by-product material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of the Republic of the Philippines by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of the Republic of the Philippines, by reason of transfer under this Article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of U-233, 250 grams of plutonium in the form of fabricated foils and sources, and 10 grams of plutonium in other forms."

ARTICLE IV

1. Article VI, paragraphs A, B, and C of the Agreement for Cooperation are amended to read as follows:

"A. The Government of the Republic of the Philippines agrees to maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this Agreement and to assure the safekeeping of this material.

"B. The Government of the Republic of the Philippines agrees to maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, obtained in the United States under this Agreement by the Government of the Republic of the Philippines or authorized persons under its jurisdiction, shall be used solely for the design, construction, and operation of research reactors which the Government of the Republic of the Philippines decides to