

No. 5585

**UNITED STATES OF AMERICA
and
INDONESIA**

**Agreement for co-operation concerning civil uses of atomic
energy. Signed at Washington, on 8 June 1960**

Official text: English.

Registered by the United States of America on 23 February 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
INDONÉSIE**

**Accord de coopération concernant l'utilisation de l'énergie
atomique à des fins civiles. Signé à Washington, le
8 juin 1960**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 23 février 1961.

No. 5585. AGREEMENT¹ FOR CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA CONCERNING CIVIL USES OF ATOMIC ENERGY. SIGNED AT WASHINGTON, ON 8 JUNE 1960

Whereas the peaceful uses of atomic energy hold great promise for all mankind, and international cooperation in this field should be promoted; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of the Republic of Indonesia desires to pursue a research, training and development project looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this project; and

Whereas the Government of the Republic of Indonesia desires to cooperate with the Government of the United States of America and United States industry on this project; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to cooperate with the Government of the Republic of Indonesia in such a project;

The Parties agree as follows :

Article I

For the purposes of this Agreement :

(a) " Commission " means the United States Atomic Energy Commission or its duly authorized representatives.

¹ Came into force on 21 September 1960, the date on which each Government received from the other Government written notification that it had complied with all statutory and constitutional requirements for the entry into force of the Agreement, in accordance with article XI.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(d) The terms "atomic weapon" and "special nuclear material" are used in this Agreement as defined in the United States Atomic Energy Act of 1954, as amended.

(e) "Classified information" means information, data, materials, services or any other matter with the security designation of "Confidential" or higher applied under the legislation or regulations of either the United States of America or the Republic of Indonesia, including that designated by the Government of the United States of America as "Restricted Data" as defined in the United States Atomic Energy Act of 1954, as amended.

(f) The term "project" means the research and training project for nuclear science and engineering to be carried out in the Bandung Institute of Technology.

Article II

Classified information shall not be communicated under this Agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this Agreement to the Government of the Republic of Indonesia or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of classified information.

Article III

1. Subject to the provisions of Articles II and X, the Parties hereto will exchange information in the following fields related to the project :

- (a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.
- (b) Health and safety problems related to the operation and use of research reactors.
- (c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. 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 IV

1. The Commission will lease to the Government of the Republic of Indonesia uranium enriched in the isotope U-235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Government of the Republic of Indonesia, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Government of the Republic of Indonesia uranium enriched in the isotope U-235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Government of the Republic of Indonesia may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Government of the Republic of Indonesia shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Government of the Republic of Indonesia to comply with the provisions of this Agreement and the applicable provisions of the lease arrangement.

2. 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 Indonesia 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 (20%) 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 Indonesia 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.

3. 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.

4. The lease of uranium enriched in the isotope U-235 under this Article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in Articles VIII and IX.