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No. 5893

**UNITED STATES OF AMERICA
and
ITALY**

**Agreement for co-operation on the uses of atomic energy
for mutual defense purposes. Signed at Rome, on
3 December 1960**

Official texts: English and Italian.

Registered by the United States of America on 29 September 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
ITALIE**

**Accord de coopération concernant l'utilisation de l'énergie
atomique à des fins de défense mutuelle. Signé à Rome,
le 3 décembre 1960**

Textes officiels anglais et italien.

Enregistré par les États-Unis d'Amérique le 29 septembre 1961.

No. 5893. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF ITALY FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES. SIGNED AT ROME, ON 3 DECEMBER 1960

The Government of the United States of America and the Government of Italy,

Considering that they have concluded a Mutual Defense Assistance Agreement,² pursuant to which each Government will make available to the other equipment, materials, services, or other military assistance in accordance with such terms and conditions as may be agreed ;

Considering that their mutual security and defense require that they be prepared to meet the contingencies of atomic warfare ;

Considering that they are participating together in an international arrangement pursuant to which they are making substantial and material contributions to their mutual defense and security ;

Recognizing that their common defense and security will be advanced by the exchange of information concerning atomic energy and by the transfer of certain types of equipment ;

Believing that such exchange and transfer can be undertaken without risk to the defense and security of either country ; and

Taking into consideration the United States Atomic Energy Act of 1954, as amended, and all the applicable Italian statutes ;

Have agreed as follows :

Article I

GENERAL PROVISIONS

While the United States and Italy are participating in an international arrangement for their mutual defense and security and making substantial and material contributions thereto, each Party will communicate to and exchange with the other Party information and transfer non-nuclear parts of atomic weapons systems involving Restricted Data to the other Party in accordance with the provisions of this

¹ Came into force on 24 May 1961, the date on which each Government received from the other Government written notification that it had complied with all legal requirements for the entry into force of the Agreement, in accordance with article XI.

² United Nations, *Treaty Series*, Vol. 80, p. 145 ; Vol. 238, p. 310, and Vol. 389, p. 307.

Agreement, provided that the communicating or transferring Party determines that such cooperation will promote and will not constitute an unreasonable risk to its defense and security.

Article II

EXCHANGE OF INFORMATION

Each Party will communicate to or exchange with the other Party such classified information as is jointly determined to be necessary to :

- A. the development of defense plans ;
- B. the training of personnel in the employment of and defense against atomic weapons and other military applications of atomic energy ;
- C. the evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy ; and
- D. the development of delivery systems compatible with the atomic weapons which they carry.

Article III

TRANSFER OF NON-NUCLEAR PARTS OF ATOMIC WEAPONS SYSTEMS

The Government of the United States will transfer to the Government of Italy, subject to terms and conditions to be agreed, non-nuclear parts of atomic weapons systems involving Restricted Data as such parts are jointly determined to be necessary for the purpose of improving Italy's state of training and operational readiness.

Article IV

CONDITIONS

- A. Cooperation under this Agreement will be carried out by each of the Parties in accordance with its applicable laws.
- B. Under this Agreement there will be no transfer by either Party of atomic weapons, non-nuclear parts of atomic weapons, or special nuclear materials.
- C. The information communicated or exchanged, and non-nuclear parts of atomic weapons systems transferred by either Party pursuant to this Agreement shall be used by the recipient Party exclusively for the preparation or implementation of defense plans in the mutual interests of the two countries.
- D. Nothing in this Agreement shall preclude the communication or exchange of classified information which is transmissible under other arrangements between the Parties.