

No. 6594

**UNITED STATES OF AMERICA
and
ARGENTINA**

Agreement for co-operation concerning civil uses of atomic energy (with exchange of notes). Signed at Washington, on 22 June 1962

Official text: English.

Registered by the United States of America on 9 April 1963.

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

Accord de coopération concernant l'utilisation de l'énergie atomique à des fins civiles (avec échange de notes). Signé à Washington, le 22 juin 1962

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 9 avril 1963.

No. 6594. AGREEMENT¹ FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC CONCERNING CIVIL USES OF ATOMIC ENERGY. SIGNED AT WASHINGTON, ON 22 JUNE 1962

Whereas the Government of the United States of America and the Government of the Argentine Republic on July 29, 1955 signed an Agreement for Cooperation Concerning Civil Uses of Atomic Energy;² and

Whereas such Agreement provides that it is the hope and expectation of the Parties that the initial Agreement for Cooperation would lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Argentine Republic has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Argentine Republic in such a program as hereinafter provided; and

Whereas the Parties desire that the Agreement for Cooperation signed on July 29, 1955, as amended,² be superseded by this Agreement which includes the new areas of cooperation;

The Parties therefore agree as follows :

Article I

For the purpose of this Agreement :

- (a) " Commission " means the United States Atomic Energy Commission or its duly authorized representatives.
- (b) " Equipment and devices " and " equipment or device " means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

¹ Came into force on 27 July 1962, the day 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 the provisions of article XII (B).

² United Nations, *Treaty Series*, Vol. 235, p. 121, and Vol. 378, p. 376.

- (c) "Person" means any individual, enterprise, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation, but does not include the Parties to this Agreement.
- (d) "Reactor" means an apparatus, other than an atomic weapon, in which self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.
- (e) "Restricted Data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of Restricted Data by the appropriate authority.
- (f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.
- (g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.
- (h) "Source material" means (1) uranium, thorium, or any other material which is determined by either Party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either Party may determine from time to time.
- (i) "Parties" means the Government of the United States of America, including the United States Atomic Energy Commission on behalf of the Government of the United States of America, and the Government of the Argentine Republic. "Party" means one of the Parties.

Article II

A. Restricted Data 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 if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of Restricted Data.

B. Subject to the provisions of this Agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the Parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This Agreement shall not require the exchange of any information which the Parties are not permitted to communicate because the information is privately owned or has been received from another Government.

Article III

Subject to the provisions of Article II, unclassified information, including information in the specific fields set out below, shall be exchanged between the Commission and the Government of the Argentine Republic with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses and problems of health and safety connected therewith :

- (a) The development, design, construction, operation, and use of research, materials testing, experimental power, demonstration power, and power reactors, and reactor experiments;
- (b) Health and safety problems related to the operation and use of research, materials testing, experimental power, and power reactors, and reactor experiments;
- (c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

Article IV

The application or use of any information (including design drawings and specifications) and any material, and equipment and devices, exchanged or transferred between the Parties under this Agreement shall be the responsibility of the Party receiving it, and the other Party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, and equipment and devices for any particular use or application.

Article V

A. Research Materials

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in Article

II, including source materials, special nuclear materials, by-product materials, other radioisotopes, and stable isotopes, will, under this Article, be sold or otherwise transferred to the Government of the Argentine Republic for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially.

B. Research Facilities

Subject to the provisions of Article II, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the Parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

Article VI

It is contemplated that, as provided in this Article, private individuals and private organizations in either the United States of America or Argentina may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in Article III, persons under the jurisdiction of either the Government of the United States of America or the Government of the Argentine Republic will be permitted to make arrangements to transfer and export materials, including equipment and devices, to, and to perform services for, the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to :

- (a) The limitations in Article II;
- (b) Applicable laws, regulations, and license requirements of the Government of the United States of America and the Government of the Argentine Republic.

Article VII

A. The Commission will sell or lease, as may be agreed, to the Government of the Argentine Republic, uranium enriched up to twenty per cent (20 %) in the isotope U-235, except as otherwise provided in paragraph C of this Article, in such quantities as may be agreed, in accordance with the terms, conditions, and delivery schedules set forth in contracts, for fueling defined research reactors, materials testing reactors, reactor experiments, and power and demonstration power reactors, which the Government of the Argentine Republic, in consultation with the Commission, decides to construct or authorizes private organizations to construct and which are constructed within or under the jurisdiction of Argentina