

No. 6899

**UNITED STATES OF AMERICA
and
COLOMBIA**

**Agreement for co-operation concerning civil uses of atomic
energy. Signed at Washington, on 9 April 1962**

Official text : English.

Registered by the United States of America on 11 September 1963.

**ÉTATS-UNIS D'AMÉRIQUE
et
COLOMBIE**

**Accord de coopération concernant l'utilisation de l'énergie
atomique à des fins civiles. Signé à Washington, le
9 avril 1962**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 11 septembre 1963.

No. 6899. AGREEMENT FOR CO-OPERATION¹ BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE REPUBLIC
OF COLOMBIA CONCERNING CIVIL USES OF ATOMIC
ENERGY. SIGNED AT WASHINGTON, ON 9 APRIL 1962

Whereas the peaceful uses of atomic energy hold great promise for all mankind ;
and

Whereas the Government of the United States of America and the Government
of the Republic of Colombia desire to cooperate with each other in the development
of such peaceful uses of atomic energy ; and

Whereas the design and development of several types of reactors are well ad-
vanced ; and

Whereas reactors are useful in the production of research quantities of radio-
isotopes, in medical therapy, in materials testing, and in numerous other research
activities and at the same time are a means of affording valuable training and experi-
ence 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 Colombia desires to pursue a
research and development program 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 program ; and

Whereas the Government of the United States of America, acting through the
United States Atomic Energy Commission, desires to assist the Government of the
Republic of Colombia in such a program ;

The Parties therefore agree as follows :

¹ Came into force on 29 March 1963, 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 the provisions of
article XI (A).

Article I

For the purposes of this Agreement :

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

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, materials testing reactors, reactor experiments, 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 "Restricted Data", "atomic weapon", "special nuclear material", "source material", and "byproduct material" are used in this Agreement as defined in the United States Atomic Energy Act of 1954, as amended.

Article II

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 to the Government of the Republic of Colombia 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 Restricted Data.

Article III

A. Subject to the provisions of Article II, the Parties hereto will exchange information in the following fields :

(1) Design, construction, operation and use of research reactors, materials testing reactors, and reactor experiments.

(2) Health and safety problems related to the operation and use of research reactors, materials testing reactors, and reactor experiments.

(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 IV

A. The Commission will sell or lease, as may be agreed, to the Government of the Republic of Colombia, uranium enriched up to twenty percent (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, and reactor experiments which the Government of the Republic of Colombia, in consultation with the Commission, decides to construct or authorize private organizations to construct and which are constructed in Colombia and as required in experiments related thereto ; provided, however, that the net amount of any uranium sold or leased under this Article during the period of this Agreement shall not at any time exceed ten (10) kilograms of the isotope U-235 contained in such uranium. This net amount shall be the gross quantity of such contained U-235 in uranium sold or leased to the Government of the Republic of Colombia during the period of this Agreement less the quantity of such contained U-235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this Article, 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 Colombia shall not at any time be in excess of the quantity necessary for the full loading of each defined reactor project which the Government of the Republic of Colombia or any persons under its jurisdiction construct and fuel with uranium received from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel is radioactively cooling, is in transit, or, subject to the provisions of paragraph E of this Article, is being reprocessed in Colombia, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make all or a portion of the foregoing special nuclear material available as uranium enriched up to ninety percent (90%) in the isotope U-235 for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel

load not to exceed eight (8) kilograms of the isotope U-235 contained in such uranium.

D. It is understood and agreed that although the Government of the Republic of Colombia may distribute uranium enriched in the isotope U-235 to authorized users in Colombia, the Government of the Republic of Colombia will retain title to any uranium enriched in the isotope U-235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed ; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Colombia and, after reprocessing as provided in paragraph E of this Article, shall be returned to the Government of the Republic of Colombia, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of the Republic of Colombia, any such special nuclear material which is in excess of the needs of the Republic of Colombia for such material in its program for the peaceful uses of atomic energy.

G. With respect to any special nuclear material not subject to the option referred to in paragraph F of this Article and produced in reactors fueled with material obtained from the United States of America which is in excess of the need of the Republic of Colombia for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

H. Some atomic energy materials which the Commission may provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic