

No. 8534

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**INTERNATIONAL ATOMIC ENERGY AGENCY,  
PHILIPPINES and UNITED STATES OF AMERICA**

**Contract for the transfer of enriched uranium for a  
research reactor in the Philippines (with annex).  
Signed at Vienna, on 28 September 1966**

*Official text : English.*

*Registered by the International Atomic Energy Agency on 1 February 1967.*

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**AGENCE INTERNATIONALE  
DE L'ÉNERGIE ATOMIQUE,  
PHILIPPINES et ÉTATS-UNIS D'AMÉRIQUE**

**Contrat pour la cession d'uranium enrichi destiné à  
un réacteur de recherche aux Philippines (avec  
annexe). Signé à Vienne, le 28 septembre 1966**

*Texte officiel anglais.*

*Enregistré par l'Agence internationale de l'énergie atomique le 1<sup>er</sup> février 1967.*

No. 8534. CONTRACT<sup>1</sup> BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE PHILIPPINES AND THE UNITED STATES OF AMERICA FOR THE TRANSFER OF ENRICHED URANIUM FOR A RESEARCH REACTOR IN THE PHILIPPINES. SIGNED AT VIENNA, ON 28 SEPTEMBER 1966

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WHEREAS the Government of the Republic of the Philippines (hereinafter called "the Philippines"), desiring to continue a research project for peaceful purposes relating to the PRR-1 reactor (hereinafter called the "reactor"), has requested the assistance of the International Atomic Energy Agency (hereinafter called the "Agency") in securing the special fissionable material necessary for this purpose ;

WHEREAS the Board of Governors of the Agency approved the project on 19 September 1966 and the Agency and the Philippines are this day concluding an agreement for the provision by the Agency of the assistance requested by the Philippines (hereinafter called the "Project Agreement") ; <sup>2</sup>

WHEREAS the Agency and the Government of the United States of America (hereinafter called the "United States") on 11 May 1959 concluded an Agreement for Co-operation (hereinafter called the "Co-operation Agreement"), <sup>3</sup> under which the United States undertook to make available to the Agency pursuant to its Statute<sup>4</sup> certain quantities of special fissionable material ; and

WHEREAS the Philippines has made arrangements with a manufacturer in the United States of America (hereinafter called the "Manufacturer") for the fabrication of enriched uranium into fuel elements for the reactor ;

NOW, THEREFORE, the Agency, the Philippines and the United States Atomic Energy Commission (hereinafter called the "Commission"), acting on behalf of the United States, hereby agree as follows :

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<sup>1</sup> Came into force on 28 September 1966, upon signature, in accordance with article VI.

<sup>2</sup> See p. 25 of this volume.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 339, p. 359.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 276, p. 3, and Vol. 471, p. 334.

*Article I*

## TRANSFER OF ENRICHED URANIUM

*Section 1.* Subject to the provisions of the Co-operation Agreement the Commission shall transfer to the Agency and the Agency shall accept from the Commission enriched uranium (hereinafter called the "fuel material") as specified in the Annex to this Contract, the precise quantities to be determined pursuant to sub-section 3 (b).

*Section 2.* The Agency shall transfer to the Philippines and the Philippines shall accept from the Agency the fuel material.

*Section 3.* The conditions of the transfer of the fuel material shall be as follows :

(a) The Commission shall make available to the Manufacturer, at a facility of the Commission designated by it, enriched uranium, in the form of uranium hexafluoride, for the fuel material, subject to such terms, charges and licences as the Commission may require unless the enriched uranium is to be drawn from the Manufacturer's inventory.

(b) The precise quantity and enrichment of fuel material in the fuel elements shall be determined by the Manufacturer, and the Philippines shall cause the Manufacturer to submit to the Agency and to the Commission a written certification of the Manufacturer's determination of the enrichment by weight in the isotope <sup>235</sup>U and of the quantity of enriched uranium contained in the fabricated fuel elements. This determination may be checked by the Agency, by the Philippines and by the Commission by means of any review or analysis that any of them may deem appropriate, and shall be approved or revised by unanimous agreement of the parties. The quantity and enrichment shown in the agreed determination shall be considered to be the quantity and enrichment of the fuel material actually transferred under Sections 1 and 2 and shall be used for the calculation of the payments required to be made pursuant to Article II.

(c) Upon completion of the fabrication and the preparation for shipment of the fuel material, and upon agreement with respect to the determination concerning such material, and upon compliance with paragraph 3 of Annex B to the Project Agreement, the Philippines, at the request and on behalf of the Agency, shall arrange for a transporter who, after thirty days' written notice to the Commission and subject to such terms, charges and licences as the Commission may require, shall transport and deliver the material to the port of export in the United States designated by the Commission after consultation with the Agency and the Philippines. The Commission, at the request of the Agency, shall thereupon transfer possession to the Philippines acting on behalf of the Agency, at such port of export and authorize the export of the material. On behalf of the Agency, the Philippines shall