

No. 8965

**INTERNATIONAL ATOMIC ENERGY AGENCY,
REPUBLIC OF VIET-NAM
and
UNITED STATES OF AMERICA**

Contract for the transfer of enriched uranium for a research reactor in Viet-Nam. Signed at Saigon, on 9 September 1967, and at Vienna, on 10 and 16 October 1967

Official texts: English and French.

Registered by the International Atomic Energy Agency on 13 February 1968.

**AGENCE INTERNATIONALE DE L'ÉNERGIE ATOMIQUE,
RÉPUBLIQUE DU VIET-NAM
et
ÉTATS-UNIS D'AMÉRIQUE**

Contrat pour la cession d'uranium enrichi destiné à un réacteur de recherche au Viet-Nam. Signé à Saigon, le 9 septembre 1967, et à Vienne, les 10 et 16 octobre 1967

Textes officiels anglais et français.

Enregistré par l'Agence internationale de l'énergie atomique le 13 février 1968.

No. 8965. CONTRACT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE REPUBLIC OF VIET-NAM AND THE UNITED STATES OF AMERICA FOR THE TRANSFER OF ENRICHED URANIUM FOR A RESEARCH REACTOR IN VIET-NAM. SIGNED AT SAIGON, ON 9 SEPTEMBER 1967, AND AT VIENNA, ON 10 AND 16 OCTOBER 1967

WHEREAS the Government of the Republic of Viet-Nam (hereinafter called "Viet-Nam"), desiring to continue a research project for peaceful purposes relating to the VNR-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 16 June 1967 and the Agency and Viet-Nam are this day concluding an agreement for the provision by the Agency of the assistance requested by Viet-Nam (hereinafter called the "Project Agreement");²

WHEREAS the Agency and the Government of the United States of America (hereinafter called the "United States") on 11 May 1959³ concluded an Agreement for Co-operation (hereinafter called the "Co-operation Agreement") under which the United States undertook to make available to the Agency pursuant to its Statute certain quantities of special fissionable material; and

WHEREAS Viet-Nam 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 United States Atomic Energy Commission (hereinafter called the "Commission"), acting on behalf of the United States, and Viet-Nam hereby agree as follows:

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 approximately 360 grams of uranium enriched to approximately 20 % by weight in

¹ Came into force on 16 October 1967 by signature, in accordance with article VI.

² See p. 381 of this volume.

³ United Nations, *Treaty Series*, Vol. 339, p. 359.

the isotope uranium-235 (hereinafter called the "fuel material"), the precise quantities to be determined pursuant to Section 3(b), contained in two fuel elements for the reactor.

Section 2. The Agency shall transfer to Viet-Nam and Viet-Nam 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 Viet-Nam 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 uranium-235 and of the quantity of enriched uranium contained in the fabricated fuel elements. This determination may be checked by the Agency, by Viet-Nam 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, Viet-Nam, 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 Viet-Nam. The Commission, at the request of the Agency, shall thereupon transfer possession to Viet-Nam, acting on behalf of the Agency, at such port of export and authorize the export of the material. On behalf of the Agency, Viet-Nam shall thereupon make arrangements for transportation within and outside the United States and for delivering and storing the material, as well as for physically handling it, and shall pay all costs in connection therewith, including the cost of containers and packaging. On behalf of the Agency, Viet-Nam shall accept possession of the material at the port of export and shall forward appropriate written receipts therefor to the Agency and to the Commission on behalf of the Agency.