

No. 4033

**UNITED STATES OF AMERICA
and
SWITZERLAND**

Agreement for co-operation concerning civil uses of atomic energy (with exchange of notes). Signed at Washington, on 21 June 1956

Official texts of the Agreement: English and French.

Official text of the exchange of notes: English.

Registered by the United States of America on 25 October 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
SUISSE**

Accord de coopération pour l'utilisation pacifique de l'énergie atomique (avec échange de notes). Signé à Washington, le 21 juin 1956

Textes officiels de l'Accord anglais et français.

Texte officiel de l'échange de notes anglais.

Enregistré par les États-Unis d'Amérique le 25 octobre 1957.

No. 4033. AGREEMENT¹ FOR CO-OPERATION CONCERNING CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF SWITZERLAND. SIGNED AT WASHINGTON, ON 21 JUNE 1956

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

Whereas to further the peaceful uses of atomic energy, the Government of the United States of America and the Government of Switzerland have entered into an Agreement for Cooperation relating to the sale and purchase of a research reactor, the exchange of information relating thereto and the lease of special nuclear material,² and

Whereas the Government of the United States of America and the Government of Switzerland are desirous of entering into a further Agreement for Cooperation relating to the peaceful uses of atomic energy with regard to medical therapy, the exchange of information relating to the development of other peaceful uses of atomic energy, including civilian nuclear power, and for research and development programs looking toward the realization of peaceful and humanitarian uses of atomic energy; and

Whereas the Government of the United States of America and the Government of Switzerland are desirous of cooperating with each other to obtain the above objectives;

The Parties agree as follows :

Article I

This Agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Agreement and shall remain in force for a period of ten years. Either Party, however, may, subsequent to the end of the fifth year that this Agreement is in force, upon six months prior written notice given to the other Party, terminate this Agreement.

¹ Came into force on 29 January 1957, 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 article I.

² United Nations, *Treaty Series*, Vol. 239, p. 311.

Article II

A. 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 cooperate with each other in the achievement of the use of atomic energy for peaceful purposes.

B. The disposition and utilization of atomic weapons and the exchange of Restricted Data relating to the design or fabrication of atomic weapons shall be outside the scope of this Agreement.

C. The exchange of Restricted Data under this Agreement shall be subject to the following limitations :

- (1) Restricted Data which in the opinion of the United States Commission is primarily of military significance shall not be exchanged.
- (2) Restricted Data concerning the production of special nuclear materials except that concerning the incidental production of special nuclear materials in a power reactor shall not be exchanged.
- (3) It shall extend only to that which is relevant to current or projected programs.
- (4) The development of submarine, ship, aircraft, and certain package power reactors is presently concerned primarily with their military uses. Accordingly, Restricted Data pertaining primarily to such reactors will not be exchanged until such time as these types of reactors warrant peacetime application and the exchange of information on these types of reactors may be agreed. Information on the adaptation of these types of reactors to military use will not be exchanged. Likewise, Restricted Data pertaining primarily to any future reactor-types the development of which is concerned primarily with their military use will not be exchanged until such time as these types of reactors warrant civil application and exchange of information on these types of reactors may be agreed; and Restricted Data on the adaptation of these types of reactors to military use will not be exchanged.

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

E. It is agreed that the United States Commission will not transfer any materials and will not transfer or permit the export of any materials or equipment and devices if such materials or equipment and devices are, in the opinion of the United States Commission, primarily of military significance.

Article III

A. Subject to the provisions of Article II, classified information in the specific fields set out below and unclassified information shall be exchanged between the United States Commission and the Government of Switzerland 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. The exchange of information provided for in this Article shall be accomplished through the various means available, including reports, conferences and visits to facilities.

B. The Parties agree to exchange the following classified information, including Restricted Data :

- (1) General information on the design and characteristics of experimental, demonstration power, or power reactors as is required to permit an evaluation and comparison of their potential use in a power production program.
- (2) Technological information, as may be agreed, on specific experimental, demonstration power or power reactors and when, in the case of Switzerland, such information is required in connection with reactors currently in operation in Switzerland or when such information is required in the development, construction and operation of specific reactors which Switzerland intends to construct as part of a current experimental, demonstration power or power program in Switzerland.
- (3) Classified information within subparagraphs (1) and (2) hereof shall be exchanged within the following fields :
 - (a) *Specifications for Reactor Materials.* Final form specifications including the composition, shape, size and special handling techniques of reactor materials including uranium, heavy water, reactor grade graphite, and zirconium.
 - (b) *Properties of Reactor Materials.* Physical, chemical, metallurgical, nuclear and mechanical properties of reactor materials including fuel, moderator and coolant and the effects of the reactor's operating conditions on the properties of these materials.
 - (c) *Reactor Components.* The design and performance specifications of reactor components, but not including the methods of production and fabrication.
 - (d) *Reactor Physics Technology.* This area includes theory of and pertinent data relating to neutron bombardment reactions, neutron cross sections, criticality calculations, reactor kinetics and shielding.

- (e) *Reactor Engineering Technology.* This area includes considerations pertinent to the over-all design and optimization of the reactor and theory of and data relating to such problems as reactor stress and heat transfer analysis.
- (f) *Environmental Safety Considerations.* This area includes considerations relating to normal reactor radiations and possible accidental hazards and the effect of such on equipment and personnel and appropriate methods of waste disposal and decontamination.

Article IV

A. Research Materials

Materials of interest in connection with the subjects of agreed exchanges of information as provided in Article III and under the provisions set forth in Article II, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall transfers under this Article of quantities of special nuclear materials under the jurisdiction of the Government of Switzerland be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233.

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 material 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. It is understood that the United States Commission will not be able to permit access to facilities which are primarily of military significance.

Article V

With respect to the subjects of agreed exchange of information as provided in Article III and subject to the provisions of Article II, equipment and devices may be transferred from one Party to the other under such terms and conditions as may be agreed. It is recognized that such transfers will be subject to limitations which may arise from shortages of supplies or other circumstances existing at the time.

Article VI

A. It is contemplated that, as provided in this Article, private individuals and private organizations in either the United States or Switzerland may deal