

No. 4087

**UNITED STATES OF AMERICA
and
FRANCE**

**Agreement for co-operation concerning civil uses of atomic
energy. Signed at Washington, on 19 June 1956**

Official texts: English and French.

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

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

**Accord de coopération relatif aux usages civils de l'énergie
atomique. Signé à Washington, le 19 juin 1956**

Textes officiels anglais et français.

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

No. 4087. AGREEMENT¹ FOR CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE CONCERNING CIVIL USES OF ATOMIC ENERGY. SIGNED AT WASHINGTON, ON 19 JUNE 1956

PREAMBLE

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 France desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research and experimental activities and at the same time are a means of affording valuable training and experience 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 France 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 the United States industry with respect to this program; and

Whereas the Government of the United States of America, represented by the United States Atomic Energy Commission, desires to assist the Government of the Republic of France in such a program;

The Parties therefore agree as follows :

Article I

For purposes of this Agreement :

- A. "Commission" means the United States Atomic Energy Commission.
- B. "Commissariat" means the French Commissariat à l'Énergie Atomique.

¹ Came into force on 20 November 1956, 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 II.

C. "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.

D. "Person" means any individual, 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.

E. "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium or thorium.

F. "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.

G. "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.

H. "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.

I. "Source material" means (1) uranium, thorium, or any other material which is determined by the Government of the Republic of France or the Commission to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Government of the Republic of France or the Commission may determine from time to time.

J. "Parties" means the Government of the United States of America and the Government of the Republic of France, including the Commission on behalf of the Government of the United States of America and the Commissariat on behalf of the Government of the Republic of France. "Party" means one of the above "Parties."

Article II

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.

Article III

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 service 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 IV

Subject to the provisions of Article III, information in the specific fields set out below shall be exchanged between the Commission and the Commissariat 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, experimental power, and power reactors;

B. Health and safety problems related to the operation and use of research, experimental power, and power reactors;

C. The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture and industry.

Article V

The application or use of any information (including design drawings and specifications) and any material, 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, equipment, and devices for any particular use or application.

*Article VI**A. Research Materials*

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by Article IV and under the limitations set forth in Article III, including source materials, special nuclear materials, by-product 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 the quantity of special nuclear materials under the jurisdiction of either Party, by reason of transfer under this Article, 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 III, 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 VII

It is contemplated that, as provided in this Article, private individuals and private organizations in either the United States or France 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 IV, persons under the jurisdiction of either the Government of the United States or the Government of the Republic of France will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and