

No. 4855

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

**Agreement for co-operation. Signed at Vienna, on 11 May
1959**

Official text: English.

Registered by the International Atomic Energy Agency on 24 August 1959.

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

Accord de coopération. Signé à Vienne, le 11 mai 1959

Texte officiel anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 24 août 1959.

No. 4855. AGREEMENT¹ FOR CO-OPERATION BETWEEN
THE INTERNATIONAL ATOMIC ENERGY AGENCY
AND THE UNITED STATES OF AMERICA. SIGNED AT
VIENNA, ON 11 MAY 1959

The International Atomic Energy Agency and the United States of America,
Desiring to set forth areas of co-operation in the peaceful application of
atomic energy including the basis on which special nuclear material, source
material and reactor material will be made available by the United States to the
Agency for use in Agency activities :

Agree as follows :

Article I

For purposes of this Agreement :

- (a) " Agency " means the International Atomic Energy Agency.
- (b) " United States " means the Government of the United States of America,
or any agency of the United States Government acting on behalf of the
United States.
- (c) " Parties " mean the Agency and the United States. " Party " means one
of the above-mentioned " Parties ".
- (d) " Agency Statute " means the Statute of the Agency² as amended from
time to time.
- (e) " Person " means (1) any individual, corporation, partnership, firm,
association, trust, estate, public or private institution, group, government
agency and (2) any legal successor, representative, agent or agency of the
foregoing.
- (f) " Reactor material " means any material, other than special nuclear material
or source material, of especial importance or desirability for use in reactors
or in research thereon.
- (g) " Source material " means (1) uranium, thorium, or any other material
determined by mutual agreement of the Agency and the United States to be
source material; (2) any of the foregoing in the form of metal, alloy,

¹ Came into force on 7 August 1959 by an exchange of notes, pursuant to article VI.

² United Nations, *Treaty Series*, Vol. 276, p. 3; Vol. 293, p. 359; Vol. 312, p. 427, and Vol. 316,
p. 387.

chemical compound, or concentrate; or (3) ores containing one or more of the foregoing materials, in such concentration as may be determined from time to time by mutual agreement.

- (h) "Special nuclear material" means plutonium-239, uranium-233, uranium enriched in the isotopes 235 or 233, any material containing one or more of the foregoing, now specified as "special fissionable material" in subparagraph 1, Article XX of the Agency Statute, and any other material determined by mutual agreement of the Agency and the United States to be special nuclear material. "Special nuclear material" does not include "Reactor material" or "Source material".
- (i) "Agency activity" means any activity set up by the Agency or any Member or group of Members thereof under the aegis of the Agency or conducted with the assistance of the Agency for research or development or practical application of atomic energy for peaceful purposes.

Article II

A. The United States will make available to the Agency pursuant to the Agency Statute, as set forth in paragraph B of this Article, for use in Agency activities 5,000 kilogrammes of contained uranium-235 together with the amounts of special nuclear material which will match in amount the sum of all quantities of special nuclear material made available by all other Members of the Agency prior to 1 July 1960. The United States will also, from time to time, make available to the Agency such additional quantities of special nuclear materials, including contained uranium-235, as may be authorized by the United States. The uranium supplied hereunder may be enriched up to 20 per cent in the isotope uranium-235 provided, however, that the parties may agree to a higher enrichment with respect to uranium to be used in research reactors, material testing reactors or for research purposes.

B. The United States undertakes to make special nuclear material available to the Agency at the United States Atomic Energy Commission's published charges applicable to the domestic United States distribution of such material in effect at the time, it being understood that the foregoing shall not affect the existence of the Commission's authority to assist and encourage research on peaceful uses or for medical therapy by making such material available to the Agency without charge during any calendar year in a quantity which at the time of transfer does not exceed in value US \$50,000.

C. The special nuclear material made available to the Agency pursuant to the Agency Statute will be used or pursuant to the Agency's direction and in