

No. 5747

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**UNITED STATES OF AMERICA  
and  
REPUBLIC OF KOREA**

**Exchange of notes constituting an agreement relating to a  
grant for nuclear research and training equipment and  
materials. Seoul, 14 October and 18 November 1960**

*Official text: English.*

*Registered by the United States of America on 7 July 1961.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
RÉPUBLIQUE DE CORÉE**

**Échange de notes constituant un accord relatif à l'octroi  
d'un don en vue de l'acquisition de matériel et de ma-  
tières pour la recherche et la formation nucléaires.  
Séoul, 14 octobre et 18 novembre 1960**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 7 juillet 1961.*

No. 5747. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA RELATING TO A GRANT FOR NUCLEAR RESEARCH AND TRAINING EQUIPMENT AND MATERIALS. SEOUL, 14 OCTOBER AND 18 NOVEMBER 1960

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I

*The American Chargé d'Affaires ad interim to the Korean Minister of Foreign Affairs*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

Seoul, October 14, 1960

No. 464

Excellency :

I have the honor to refer to the request by your Government dated May 17, 1960,<sup>2</sup> for a grant by the Government of the United States to assist the Government of the Republic of Korea in the acquisition of certain nuclear and research training equipment and materials, and to inform Your Excellency's Government that approval of this grant has now been given.

I further have the honor to propose the following understandings on the basis of which funds are to be furnished :

1. Funds granted by the Government of the United States in accordance with this note shall be available only to purchase such equipment and materials, or their equivalents, in such amounts, and not in excess of such prices as may be established by the United States Atomic Energy Commission. Any difference between the amounts and prices established by the United States Atomic Energy Commission and the actual amounts and costs may not be applied by the Government of the Republic of Korea toward purchase of other items or for any other purpose.

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<sup>1</sup> Came into force on 18 November 1960, in accordance with the provisions of the said notes.

<sup>2</sup> Not printed by the Department of State of the United States of America.

2. The Government of the Republic of Korea, or its designated agent, shall procure, or arrange for procurement of, all equipment and materials to be financed by the grant referred to above and shall meet, from resources other than the granted funds, the costs of transporting, insuring while in transit, installing, and operating the equipment and materials.

3. The Government of the Republic of Korea, or its designated agent, shall insure that 50 per cent of the gross tonnage of equipment and materials financed by the grant referred to above which may be transported on ocean vessels shall be transported on United States-flag vessels, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.

4. The equipment and materials procured as provided herein shall be used for peaceful purposes only.

5. The manner and procedures for payment by the Government of the United States for equipment and material procured as provided in this note shall be established by the United States Atomic Energy Commission and notified to the Government of the Republic of Korea.

6. Copies of technical publications deriving from use of equipment and materials procured as provided herein will be provided currently to the Government of the United States, and an appropriate plaque acknowledging the assistance of the Government of the United States will be permanently displayed in the laboratory in which such equipment and materials are located.

7. The Government of the Republic of Korea shall indemnify and save harmless the Government of the United States against any and all liabilities from any cause whatsoever, including liability to third parties, which may result from the operation or use of any equipment and materials furnished hereunder.

If these understandings are acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein shall constitute an Agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Marshall GREEN  
Chargé d'Affaires ad interim

His Excellency Yil-Kyung Chyung  
Minister of Foreign Affairs  
Seoul

## II

*The Korean Minister of Foreign Affairs to the American Chargé d'Affaires ad interim*

REPUBLIC OF KOREA  
MINISTRY OF FOREIGN AFFAIRS

November 18, 1960

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Sir,

I acknowledge the receipt of your note No. 464 dated October 14, 1960 concerning a grant by the Government of the United States to assist the Government of the Republic of Korea in the acquisition of certain nuclear research and training equipment and materials.

I note that there are enumerated in the note under reference certain understandings on the basis of which funds are to be furnished by your Government and inform you that the said understandings are acceptable to the Government of the Republic of Korea.

I also confirm that your note and this reply thereto shall constitute an Agreement on this subject between our two Governments, which shall enter into force on the date of this reply.

Accept, Sir, the renewed assurances of my high consideration.

Y. K. CHYUNG

The Honourable Marshall Green  
Chargé d'Affaires ad interim  
American Embassy  
Seoul