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No. 7886

**BELGIUM, CANADA, DENMARK, FRANCE,
FEDERAL REPUBLIC OF GERMANY, etc.**

**Agreement between the Parties to the North Atlantic
Treaty for co-operation regarding atomic information.
Done at Paris, on 18 June 1964**

Official texts : English and French.

Registered by the United States of America on 12 August 1965.

**BELGIQUE, CANADA, DANEMARK, FRANCE,
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE, etc.**

**Accord entre les États Parties au Traité de l'Atlantique
Nord sur la coopération dans le domaine des ren-
seignements atomiques. Fait à Paris, le 18 juin 1964**

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 12 août 1965.

No. 7886. AGREEMENT¹ BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION. DONE AT PARIS, ON 18 JUNE 1964

Preamble

The Parties to the North Atlantic Treaty, signed at Washington on 4th April, 1949,²

Recognising that their mutual security and defence requires that they be prepared to meet the contingencies of atomic warfare, and

Recognising that their common interest will be advanced by making available to the North Atlantic Treaty Organization and its member states information pertinent thereto, and

Taking into consideration the United States Atomic Energy Act of 1954, as amended, which was prepared with these purposes in mind,

Acting on their own behalf and on behalf of the North Atlantic Treaty Organization,

Agree as follows :

Article I

In accordance with and subject to the requirements of the United States Atomic Energy Act of 1954, as amended, the Government of the United States of America will, while the North Atlantic Treaty Organization continues

¹ In accordance with the provisions of article X, the Agreement came into force on 12 March 1965, upon receipt by the Government of the United States of America of notifications from all Parties to the North Atlantic Treaty that they are willing to be bound by the terms of the Agreement. The dates of receipt of the notifications are as follows :

<i>State</i>	<i>Date of receipt of notifications approval</i>	<i>State</i>	<i>Date of receipt of notifications approval</i>
Belgium	13 November 1964	Netherlands	11 December 1964
Canada	12 October 1964	Norway	20 October 1964
Denmark	29 July 1964	Portugal	24 August 1964
France	27 October 1964	Turkey	18 September 1964
Federal Republic of Germany	12 March 1965	United Kingdom of Great Britain and Northern Ireland	9 November 1964
Greece	20 November 1964	United States of America	25 September 1964
Iceland	20 November 1964		
Italy	14 September 1964		
Luxembourg	21 December 1964		

² United Nations, *Treaty Series*, Vol. 34, p. 243.

to make substantial and material contributions to the mutual defence and security, co-operate by communicating, from time to time, to the North Atlantic Treaty Organization and its member states, while they continue to make such contributions, atomic information in accordance with the provisions of this Agreement, provided that the Government of the United States of America determines that such co-operation will promote and will not constitute an unreasonable risk to its defence and security.

Article II

Paralleling the undertaking of the Government of the United States of America under this Agreement, the other member states of the North Atlantic Treaty Organization will, to the extent they deem necessary, communicate to the North Atlantic Treaty Organization, including its military and civilian elements, and to member states atomic information of their own origin of the same types provided for in this Agreement. The terms and conditions governing these communications by other member states will be the subject of subsequent agreements, but will be the same or similar to the terms and conditions specified in this Agreement.

Article III

The Government of the United States of America will communicate to the North Atlantic Treaty Organization, including its military and civilian elements, and to member states of the North Atlantic Treaty Organization requiring the atomic information in connection with their functions related to NATO missions, such atomic information as is determined by the Government of the United States of America to be necessary to :

- (a) the development of defence plans ;
- (b) the training of personnel in the employment of and defence against atomic weapons and other military applications of atomic energy ;
- (c) the evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy ; and
- (d) the development of delivery systems compatible with the atomic weapons which they carry.

Article IV

1. Co-operation under this Agreement will be carried out by the Government of the United States of America in accordance with its applicable laws.

2. Under this Agreement there will be no transfer by the Government of the United States of America of atomic weapons, non-nuclear parts of atomic weapons, or non-nuclear parts of atomic weapons systems involving Restricted Data.

3. The atomic information communicated by the Government of the United States of America pursuant to this Agreement shall be used exclusively for the preparation or implementation of NATO defence plans and activities and the development of delivery systems in the common interests of the North Atlantic Treaty Organization.

Article V

1. Atomic information communicated pursuant to this Agreement shall be accorded full security protection under applicable NATO regulations and procedures, agreed security arrangements, and national legislation and regulations. In no case will the North Atlantic Treaty Organization or its member states maintain security standards for the safeguarding of atomic information less restrictive than those set forth in the pertinent NATO security regulations and other agreed security arrangements in effect on the date this Agreement comes into force.

2. The establishment and co-ordination of the security programme in all NATO military and civilian elements will be effected under the authority of the North Atlantic Council in conformity with procedures set forth in agreed security arrangements.

3. Atomic information communicated by the Government of the United States of America pursuant to this Agreement will be made available through channels for communicating atomic information now existing or as may be hereafter agreed.

4. Atomic information communicated or exchanged pursuant to this Agreement shall not be communicated or exchanged by the North Atlantic Treaty Organization or persons under its jurisdiction to any unauthorized

persons or, except as provided in paragraph 5 of this article, beyond the jurisdiction of that Organization.

5. Unless otherwise specified by the Government of the United States of America, United States atomic information provided to the North Atlantic Treaty Organization may be communicated by the North Atlantic Treaty Organization to its member states as necessary to carry out functions related to NATO missions, provided that dissemination of such atomic information within such member states is limited to those specific individuals concerned with the NATO missions for which the information is required. Member states agree that atomic information so received from the North Atlantic Treaty Organization or otherwise pursuant to this Agreement will not be transferred to unauthorised persons or beyond the jurisdiction of the recipient member state ; however, such information may be communicated to the North Atlantic Treaty Organization or, when authorised by the Government of the United States of America, to other member states requiring the information for functions related to NATO missions.

Article VI

Other provisions of this Agreement notwithstanding, the Government of the United States of America may stipulate the degree to which any of the atomic information made available by it to the North Atlantic Treaty Organization or member states may be disseminated, may specify the categories of persons who may have access to such information, and may impose such other restrictions on the dissemination of information as it deems necessary.

Article VII

1. A Party receiving atomic information under this Agreement shall use it for the purposes specified herein only. Any inventions or discoveries resulting from possession of such information on the part of a recipient Party or persons under its jurisdiction shall be made available to the Government of the United States of America for defence purposes without charge in accordance with such arrangements as may be agreed and shall be safeguarded in accordance with the provisions of Article V of this Agreement.

2. The application or use of any information communicated under this Agreement shall be the responsibility of the Party receiving it ; the Party communicating the information does not provide any indemnity or warranty with respect to its application or use.

Article VIII

Nothing in this Agreement shall be considered to supersede or otherwise affect bilateral agreements between Parties to this Agreement providing for co-operation in the exchange of atomic information.

Article IX

For the purposes of this Agreement :

- (a) " Atomic weapon " means any device utilising 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.
- (b) " Atomic information " to be provided by the Government of the United States of America under this Agreement means information which is designated " Restricted Data " or " Formerly Restricted Data " by the Government of the United States of America.

Article X

1. This Agreement shall enter into force upon receipt by the Government of the United States of America of notification from all Parties to the North Atlantic Treaty that they are willing to be bound by the terms of the Agreement.

2. The Government of the United States of America will inform all Parties to the North Atlantic Treaty, and will also inform the North Atlantic Treaty Organization, of each notification and of the entry into force of this Agreement.

3. This Agreement shall remain in force until terminated by unanimous agreement or superseded by another agreement, it being understood, however, that termination of this Agreement as a whole shall not release any Party from the requirements of this Agreement to safeguard information made available pursuant to it.

Article XI

Notwithstanding the provisions of Article VI (4) of the Agreement between the Parties to the North Atlantic Treaty for Co-operation regarding Atomic Information, signed in Paris on 22nd June, 1955,¹ the present Agreement shall upon its entry into force supersede the above-mentioned Agreement, it being understood, however, that information communicated under that Agreement shall be considered for all purposes to have been communicated under the provisions of this Agreement.

Article XII

This Agreement shall bear the date on which it is opened for signature and shall remain open for signature until it has been signed by all the States Parties to the North Atlantic Treaty.

IN WITNESS WHEREOF the undersigned Representatives have signed the present Agreement on behalf of their respective States, members of the North Atlantic Treaty Organization, and on behalf of the North Atlantic Treaty Organization.

DONE at Paris this 18th day of June 1964, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

¹ United Nations, *Treaty Series*, Vol. 249, p. 3, and p. 371 of this volume.

Pour le Royaume de Belgique :

For the Kingdom of Belgium :

18 Juin 1964

A. DE STAERCKE

Pour le Canada :

For Canada :

30 June 1964

George IGNATIEFF

Pour le Royaume de Danemark :

For the Kingdom of Denmark :

25 Juin 1964

E. SCHRAM-NIELSEN

Pour la France :

For France :

18 juin 1964

F. SEYDOUX

Pour la République Fédérale d'Allemagne :

For the Federal Republic of Germany :

18 Juin 1964

Wilhelm GREWE

Pour le Royaume de Grèce :

For the Kingdom of Greece :

18 Juin 1964

C. X. PALAMAS

Pour l'Islande :

For Iceland :

18th June 1964

Pétur THORSTEINSSON

Pour l'Italie :

For Italy :

22 Juin 1964

A. ALESSANDRINI

Pour le Grand-Duché de Luxembourg :

For the Grand-Duchy of Luxembourg :

18 juin 1964

Paul REUTER

Pour le Royaume des Pays-Bas :

For the Kingdom of the Netherlands :

18 juin 1964

H. N. BOON

Pour le Royaume de Norvège :

For the Kingdom of Norway :

24th July 1964

Georg KRISTIANSEN

Pour le Portugal :

For Portugal :

le 9 juillet 1964

Mario D'OLIVEIRA NEVES

Pour la Turquie :

For Turkey :

le 18 juin 1964

M. Nuri BIRGI

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

For the United Kingdom of Great Britain and Northern Ireland :

18th June, 1964

Evelyn SHUCKBURGH

Pour les États-Unis d'Amérique :

For the United States of America :

June 18, 1964

Thomas K. FINLETTER