

No. 18102

**UNITED STATES OF AMERICA
and
CHINA**

**Agreement on cooperation in science and technology (with
exchange of letters). Signed at Washington on 31 Jan-
uary 1979**

Authentic texts: English and Chinese.

Registered by the United States of America on 14 November 1979.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHINE**

**Accord relatif à la coopération scientifique et technique (avec
échange de lettres). Signé à Washington le 31 janvier
1979**

Textes authentiques : anglais et chinois.

Enregistré par les États-Unis d'Amérique le 14 novembre 1979.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA ON COOPERATION IN SCIENCE AND TECHNOLOGY

The Government of the United States of America and the Government of the People's Republic of China (hereinafter referred to as the Contracting Parties);

Acting in the spirit of the Joint Communiqué on the Establishment of Diplomatic Relations between the United States of America and the People's Republic of China;

Recognizing that cooperation in the fields of science and technology can promote the well-being and prosperity of both countries;

Affirming that such cooperation can strengthen friendly relations between both countries;

Wishing to establish closer and more regular cooperation between scientific and technical entities and personnel in both countries;

Have agreed as follows:

Article 1. 1. The Contracting Parties shall develop cooperation under this Agreement on the basis of equality, reciprocity and mutual benefit.

2. The principal objective of this Agreement is to provide broad opportunities for cooperation in scientific and technological fields of mutual interest, thereby promoting the progress of science and technology for the benefit of both countries and of mankind.

Article 2. Cooperation under this Agreement may be undertaken in the fields of agriculture, energy, space, health, environment, earth sciences, engineering, and such other areas of science and technology and their management as may be mutually agreed, as well as educational and scholarly exchange.

Article 3. Cooperation under this Agreement may include:

- a. Exchange of scientists, scholars, specialists and students;
- b. Exchange of scientific, scholarly, and technological information and documentation;
- c. Joint planning and implementation of programs and projects;
- d. Joint research, development and testing, and exchange of research results and experience between cooperating entities;
- e. Organization of joint courses, conferences and symposia;
- f. Other forms of scientific and technological cooperation as may be mutually agreed.

Article 4. Pursuant to the objectives of this Agreement, the Contracting Parties shall encourage and facilitate, as appropriate, the development of contacts and cooperation between government agencies, universities, organizations, institutions, and other entities of both countries, and the conclusion of accords between such bodies for the conduct of cooperative activities. Both sides will further promote, consistent with such cooperation and where appropriate, mutually beneficial bilateral economic activities.

Article 5. Specific accords implementing this Agreement may cover the subjects of cooperation, procedures to be followed, treatment of intellectual property, funding and other appropriate matters. With respect to funding, costs shall be borne as mutually agreed. All cooperative activities under this Agreement shall be subject to the availability of funds.

¹ Came into force on 31 January 1979 by signature, in accordance with article 11 (1).

Article 6. Cooperative activities under this Agreement shall be subject to the laws and regulations in each country.

Article 7. Each Contracting Party shall, with respect to cooperative activities under this Agreement, use its best efforts to facilitate prompt entry into and exit from its territory of equipment and personnel of the other side, and also to provide access to relevant geographic areas, institutions, data and materials.

Article 8. Scientific and technological information derived from cooperative activities under this Agreement may be made available, unless otherwise agreed in an implementing accord under Article 5, to the world scientific community through customary channels and in accordance with the normal procedures of the participating entities.

Article 9. Scientists, technical experts, and entities of third countries or international organizations may be invited, upon mutual consent of both sides, to participate in projects and programs being carried out under this Agreement.

Article 10. 1. The Contracting Parties shall establish a US-PRC Joint Commission on Scientific and Technological Cooperation, which shall consist of United States and Chinese parts. Each Contracting Party shall designate a co-chairman and its members of the Commission. The Commission shall adopt procedures for its operation, and shall ordinarily meet once a year in the United States and the People's Republic of China alternately.

2. The Joint Commission shall plan and coordinate cooperation in science and technology, and monitor and facilitate such cooperation. The Commission shall also consider proposals for the further development of cooperative activities in specific areas and recommend measures and programs to both sides.

3. To carry out its functions, the Commission may when necessary create temporary or permanent joint subcommittees or working groups.

4. During the period between meetings of the Commission, additions or amendments may be made to already approved cooperative activities, as may be mutually agreed.

5. To assist the Joint Commission, each Contracting Party shall designate an Executive Agent. The Executive Agent on the United States side shall be the Office of Science and Technology Policy; and on the side of the People's Republic of China, the State Scientific and Technological Commission. The Executive Agents shall collaborate closely to promote proper implementation of all activities and programs. The Executive Agent of each Contracting Party shall be responsible for coordinating the implementation of its side of such activities and programs.

Article 11. 1. This Agreement shall enter into force upon signature and shall remain in force for five years. It may be modified or extended by mutual agreement of the Parties.

2. The termination of this Agreement shall not affect the validity or duration of any implementing accords made under it.

DONE at Washington this 31st day of January, 1979, in duplicate in the English and Chinese languages, both equally authentic.

For the Government
of the United States of America:
[Signed — Signé]¹

For the Government
of the People's Republic of China:
[Signed — Signé]²

¹ Signed by Jimmy Carter — Signé par Jimmy Carter.

² Signed by Deng Xiaoping — Signé par Deng Xiaoping.

EXCHANGE OF LETTERS

I

January 31, 1979

Dear Mr. Minister,

With reference to the Agreement between the United States of America and the People's Republic of China on cooperation in science and technology, signed in Washington today, it is the understanding of the Government of the United States of America that existing understandings in the fields of education, agriculture and space will become a part of the formal specific accords to be concluded in those fields under Article 5 of the Agreement.

Attached as annexes to this letter are the Understanding on the exchange of students and scholars reached in Washington in October 1978, the Understanding on agricultural exchange reached in Beijing in November 1978, and the Understanding on cooperation in space technology reached in Washington in December 1978.

If the Government of the People's Republic of China confirms this understanding and the texts of the understandings annexed hereto, this letter and the letter of confirmation of the People's Republic of China will constitute an agreement relating to these fields between our two governments.

Sincerely,

{Signed — Signé}¹

Director

Office of Science and Technology Policy

His Excellency Fang Yi

Minister in Charge

The State Scientific and Technological Commission

Beijing

UNDERSTANDING ON THE EXCHANGE OF STUDENTS AND SCHOLARS BETWEEN
THE UNITED STATES OF AMERICA AND THE PEOPLE'S REPUBLIC OF CHINA

An understanding on educational exchanges between the United States and China was reached in Washington, D.C. in October 1978 during discussions between the Chinese education delegation headed by Dr. Chou Pei-yuan, Acting Chairman of the PRC Science and Technology Association, and the U.S. education delegation headed by Dr. Richard C. Atkinson, Director of the National Science Foundation, as follows:

1. Both sides agreed they would pursue a program of educational exchange in accordance with and in implementation of the spirit of the Shanghai Communiqué;
2. There will be a two-way scientific and scholarly exchange which will provide mutual benefit to both countries;
3. The exchanges will include students, graduate students and visiting scholars for programs of research and study in each country;
4. The two sides exchanged lists of fields in which its students and scholars are interested and lists of institutions where they wish to work. Each side will use its best efforts to fulfill the

¹ Signed by Frank Press — Signé par Frank Press.

requests of the other for study and research opportunities. Each side will expeditiously grant visas for such exchanges in accordance with its laws and regulations;

5. The sending side will pay the costs associated with its participants;

6. Both sides may take full advantage of any scholarships which may be offered;

7. Each side will be responsible for the implementation of the program in its territory, including responsibility for providing advice to the other side and relevant information and materials about the universities and research institutions concerned;

8. The two sides agreed that the students and scholars sent by both sides should observe the laws and regulations and respect the customs of the receiving country;

9. The Chinese side indicated it wishes to send a total of 500 to 700 students and scholars in the academic year 1978-1979. The United States side indicated it wishes to send 10 students in its national program in January 1979 and 50 students in its national program by September 1979 as well as such other numbers as the Chinese side is able to receive. Both sides agreed to use their best efforts to implement such programs;

10. To set each year the number of students and scholars to be exchanged and to discuss the progress of the program of exchanges, the two sides will meet when necessary. Consultations on important matters may also be held by the governments of the two countries. In addition, both sides will encourage direct contacts between the universities, research institutions, and scholars of their respective countries;

11. Both sides believe that the discussions mark a good beginning and have opened up the prospect of broadened opportunities for exchanges between the two countries in the fields of science, technology and education as relations between them improve. Both sides also believe that such exchanges are conducive to the promotion of friendship and understanding between their two peoples.

UNDERSTANDING ON AGRICULTURAL EXCHANGE BETWEEN THE UNITED STATES OF AMERICA AND THE PEOPLE'S REPUBLIC OF CHINA

During a visit to China of a delegation led by U.S. Secretary of Agriculture Robert Bergland in November 1978, discussions were held with Chinese officials which resulted in understandings concerning US-PRC agricultural exchange. It was agreed that it would be of mutual benefit to promote cooperation in agricultural technology, economic information, science and education, and trade in agricultural products, and that contacts between organizations and institutions of all types in these fields should be facilitated.

It was noted that study groups had already been exchanged in the fields of science and research, farm machinery, citrus fruits, wheat and vegetables. It was agreed that areas in which further exchanges should occur would include germ plasm (seed research and selection), biological control of pests, livestock and veterinary science, and agricultural education and research management methods. It was also agreed that, within the next two or three years, cooperation would be carried out in the fields of forestry, agricultural engineering, improvement of grasslands and management of pasturelands, cultivation of fruit trees, medicinal plants, and the application of remote sensing and computer technology to agriculture. Such cooperation would include mutual visits of, and joint research by, students, scientists and technicians.

The U.S. side agreed to facilitate contacts between officials of the People's Republic of China and U.S. manufacturers of agricultural equipment and supplies. Each side expressed its interest in the statistical methods of agricultural economics and experience in agricultural management of the other side. It was agreed also that, through the cooperator program of the U.S. Department of Agriculture, further discussions should be held regarding the products and technology best suited to conditions in China and that USDA teams would begin visiting China in early 1979. Reciprocal scientific teams from the PRC will also begin U.S. study visits in 1979.

It was agreed that the development of agricultural trade between the two countries was in the mutual interest and that its prospects were bright.

It was agreed that when study teams or technical trainees are exchanged on a one-for-one basis, the host country would pay in-country costs; and that when the exchange is not reciprocal, the sending country will pay all costs.

UNDERSTANDING ON COOPERATION IN SPACE TECHNOLOGY BETWEEN THE UNITED STATES OF AMERICA AND THE PEOPLE'S REPUBLIC OF CHINA

During a visit to the United States in November and December 1978 by a delegation headed by Dr. Jen Hsin-min, Director of the Chinese Academy of Space Technology, an understanding in principle was reached with a delegation headed by Dr. Robert A. Frosch, Administrator of the National Aeronautics and Space Administration, on U.S.-Chinese cooperation in the peaceful utilization of space technology.

This understanding includes:

1. Cooperation in the development of the civil broadcasting and communications system of the PRC. The PRC intends, under suitable conditions, to purchase a U.S. satellite broadcasting and communications system, including the associated ground receiving and distribution equipment. The space portion of the system will be launched by NASA and placed in geostationary orbit by a U. S. contractor, with continued operation to be carried out by China; and
2. The intended purchase, under suitable conditions, by the PRC of a U. S. ground station capable of receiving earth resources information from the NASA Landsat remote sensing satellites, including the Landsat now under development.

It was also agreed that, through further discussions and correspondence, both sides would develop the details of the understanding described above and consider other fields of civil space cooperation which could be of mutual interest and benefit.

[TRANSLATION¹ — TRADUCTION²]

Dear Dr. Press,

With reference to your letter and annexes of this date, I confirm, on behalf of the Government of the People's Republic of China, that the Understanding on the exchange of students and scholars reached in Washington in October 1978, and the Understanding on cooperation in space technology reached in Washington in December 1978, constitute a part of the specific "Agreement Between the United States of America and the People's Republic of China on cooperation in science and technology" concluded today in Washington, D.C.

Attached hereto are the Understanding on the exchange of students and scholars between the People's Republic of China and the United States of America, the Understanding on agricultural exchange between the People's Republic of China and the United States of America, and the Understanding on cooperation in space technology between the People's Republic of China and the United States of America.

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

January 31, 1979

FANG YI
Chairman, The State Scientific and
Technological Commission
The People's Republic of China

His Excellency Dr. Frank Press
Director, Office of Science and Technology Policy
Washington, D.C.

[Annexes as under letter I]

¹ Translation supplied by the Government of the United States.

² Traduction fournie par le Gouvernement des Etats-Unis.