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**CHINA
and
UNITED STATES OF AMERICA**

**Accord on industrial and technological co-operation. Signed
at Washington on 12 January 1984**

Authentic texts: Chinese and English.

Registered by China on 12 June 1985.

**CHINE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord de coopération industrielle et technologique. Signé
à Washington le 12 janvier 1984**

Textes authentiques : chinois et anglais.

Enregistré par la Chine le 12 juin 1985.

ACCORD¹ ON INDUSTRIAL AND TECHNOLOGICAL COOPERATION BETWEEN THE PEOPLE'S REPUBLIC OF CHINA AND THE UNITED STATES OF AMERICA

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

Noting the development of economic and trade relations between the two countries;

Taking into account the characteristics and economic potential of the two countries and their respective levels of economic development;

Convinced of the desirability of promoting industrial and technological cooperation between the two countries on the basis of equality and mutual benefit;

Subject to and in implementation of the Agreement on Trade Relations between the People's Republic of China and the United States of America;²

For the purpose of enhancing the friendship between the two peoples and further developing industrial and technological cooperation between the two countries;

Have agreed as follows:

Article I. 1. The Parties shall take all appropriate steps to create favorable conditions for strengthening industrial and technological cooperation between the two countries in order to strive for a balance in their economic interests and the attainment of the harmonious development of such cooperation.

2. Such steps may include consultations to help identify and study proposals for industrial and technological cooperation projects, facilitation of contacts between potential participants in industrial and technological cooperation projects, assistance in arranging feasibility studies for industrial and technological cooperation projects and such other forms of cooperation as are mutually agreeable.

3. All activities under this Accord shall be subject to the respective applicable laws and regulations of the two countries.

Article II. 1. Industrial and technological cooperation under this Accord shall be based on contracts or other arrangements between firms, companies and economic organizations of the two countries, in accordance with the respective applicable laws and regulations of the two countries.

2. The Parties recognize the importance of technology transfer and trade in technology products to the development of industrial and technological cooperation between the two countries. Accordingly, the Parties shall endeavor, in accordance with their respective laws and regulations, to promote and facilitate technology transfer and trade in technology products, so as to enhance the smooth conduct of industrial and technological cooperation between the two countries.

Article III. The Parties shall encourage industrial and technological cooperation according to the needs and capabilities of the two countries and on the basis of mutual benefit between firms, companies and economic organizations of the two countries. Such cooperation may include:

¹ Came into force on 12 January 1984 by signature, in accordance with article VII.

² United Nations, *Treaty Series*, vol. 1202, p. 179.

- (1) Construction of new industrial facilities and expansion and modernization of existing facilities in both countries;
- (2) Production, purchase, sale and leasing of machinery and equipment and high technology products;
- (3) Purchase and sale of industrial and agricultural materials and consumer goods;
- (4) Purchase, sale, license or commercial exchange of intellectual property rights, technical information or know-how, as well as provision of technical services, including training and exchange of specialists and technicians;
- (5) Co-production and co-marketing, including cooperation in using the technology and equipment of the other Party so as to foster the mutual expansion of the reciprocal trade between the two countries; and
- (6) Joint ventures, provision of services and construction works on a contractual basis, as well as other forms of industrial and technological cooperation which may be mutually agreed between firms, companies and economic organizations of the two countries.

Article IV. 1. For the purpose of implementing this Accord, the Chinese Government hereby nominates the Ministry of Foreign Economic Relations and Trade as its co-ordinating agency and the United States Government hereby nominates the Department of Commerce as its co-ordinating agency.

2. The China-U.S. Joint Commission on Commerce and Trade shall place on the agenda of each session thereof industrial and technological cooperation between the two countries so as to review the implementation of this Accord, and make such recommendations as may be appropriate in pursuit of the objectives of this Accord.

3. The China-U.S. Joint Commission on Commerce and Trade may, whenever the Parties deem it necessary, designate for a special purpose an ad hoc working group to assist it in its task. According to the needs of the specific task and by mutual agreement of the Parties, such ad hoc working group may include representatives of firms, companies and economic organizations of the two countries.

Article V. 1. Details of the activities undertaken by the Parties under this Accord, including financial facilitation and funding on as favorable terms and conditions as possible, shall be decided by mutual agreement, on the basis of the principles of the Agreement on Trade Relations between the People's Republic of China and the United States of America and in accordance with their respective applicable laws and regulations.

2. The Trade and Development Program of the U.S. International Development Cooperation Agency shall consider the funding of feasibility studies of industrial and technological cooperation projects conducted under this Accord.

Article VI. This Accord shall be interpreted so as not to interfere with industrial and technological cooperation that might be conducted outside the Accord.

Article VII. This Accord shall enter into force upon signature and shall remain in force until January 31, 1986. This Accord shall be extended for successive terms of three years if neither Party notifies the other of its intent to terminate this Accord at least thirty days before the end of a term.

DONE at Washington this 12th day of January, 1984, in duplicate in the Chinese and English languages, both equally authentic.

For the Government
of the People's Republic of China:

ZHAO ZI YANG

For the Government
of the United States of America:

RONALD REAGAN