

Note No. 026/07

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Foreign Trade of the Government of Jamaica and has the honor to refer to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services, including pursuant to the United States International Military Education and Training Program, from the United States of America to the Government of Jamaica pursuant to the Foreign Assistance Act of 1961, as amended, or successor legislation. In this regard the Embassy refers to the Agreement concerning the furnishing of defense articles and defense services effected by exchange of notes at Kingston on June 6, 1963, and the Agreement concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) Program, effected by exchange of notes at Kingston on November 13, 1980 and February 17, 1981.

In accordance with these discussions, it is proposed that the Government of the Republic of Jamaica agree:

A. That unless the consent of the Government of the United States of America has been first obtained the Government of Jamaica shall not:

(I) Permit any use of such defense articles, related training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of Jamaica;

(II) Transfer, or permit any officer, employee or agent of the Government of Jamaica to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or

(III) Use, or permit the use of, such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;

B. That such defense articles, related training, including training materials, or other defense services shall be returned to the Government of the United States of America when they are not longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of Jamaica in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America;

D. That the Government of Jamaica shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Jamaica; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and Conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

It is further proposed that this Agreement shall supersede the above-referenced 1981 agreement. This Agreement shall apply to defense articles and defense services to which the superseded 1981 agreement had applied prior to entry into force of this Agreement.

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of Jamaica shall, together with this note, constitute an agreement

between the two Governments, which shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs and Foreign Trade the assurance of its highest consideration.

Embassy of the United States of America,
Kingston, February 5, 2007.





Ref No: 358/803/3

The Ministry of Foreign Affairs and Foreign Trade presents its compliments to the Embassy of United States of the America and has the honour to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defence services, including pursuant to the United States International Military Education and Training Program, from the United States of America to the Government of Jamaica pursuant to the Foreign Assistance Act of 1961, as amended, or successor legislation. In this regard the Ministry refers to the Agreement concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) Program, effected by exchange of notes at Kingston on November 13, 1980 and February 17, 1981.

In accordance with these discussions, the Government of Jamaica agrees:

- A. That unless the consent of the Government of the United States of America has been first obtained the Government of Jamaica shall not:



- (i) Permit any use of such defense articles, relating training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of Jamaica;
 - (ii) Transfer, or permit any officer, employee or agent of the Government of Jamaica to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or
 - (iii) Use, or permit the use of such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;
- B. That such defense articles, related training, including training materials, or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;
- C. That the net proceeds of sale received by the Government of Jamaica in disposing of, with prior written consent of the Government of the



United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America:

- D. That the Government of Jamaica shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Jamaica; and
- E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.



It is further proposed that this Agreement shall supersede the above-referenced 1981 agreement. This Agreement shall apply to defense articles and defense services to which the superseded 1981 agreement had applied prior to entry into force of this Agreement.

The Ministry agrees that the Embassy of the United States proposal (Note # 026/07 dated February 05, 2007) and this Note in reply, shall constitute an agreement between the two Governments, which shall enter into force on the date of this Ministry's reply.

The Ministry of Foreign Affairs and Foreign Trade avails itself of this opportunity to renew to the Embassy of the United States of America assurances of its highest consideration.



Embassy of the United States of America
KINGSTON

30th July, 2007