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No. 257

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Morocco 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 the Kingdom of Morocco pursuant to the Foreign Assistance Act of 1961, or successor legislation. In this regard the Embassy refers to the Agreement concerning the grants of certain defense articles, related training, and other defense services to Morocco from the United States under the Chapter 2 of Part II of the United States Foreign Assistance Act of 1961, or successor legislation, effected by exchange of notes at Rabat on July 11 and 15, 1961.

In accordance with these discussions, it is proposed that the Government of the Kingdom of Morocco agree:

A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Kingdom of Morocco 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 the Kingdom of Morocco;

(II) Transfer, or permit any officer, employee or agent of the Government of the Kingdom of Morocco 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 the Kingdom of Morocco 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 the Kingdom of Morocco 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 the Kingdom of Morocco; 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 1991 agreement. This Agreement shall apply to defense articles and defense services to which the superseded 1991 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 the Kingdom of Morocco 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 Cooperation of the Kingdom of Morocco the assurances of its highest consideration.



Embassy of the United States of America  
Rabat, July 21, 2006

Royaume du Maroc  
Ministère des Affaires Etrangères  
et de la Coopération



المملكة المغربية  
وزارة الشؤون الخارجية  
والتنسيق  
مديرية الشؤون القانونية  
والمعاهدات

Direction des Affaires Juridiques  
et des Traités

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24 NOV 2006

The Ministry of Foreign Affairs and cooperation presents its compliments to the Embassy of the United States of America and acknowledges receipt of the Embassy's Note No.257, dated July 21, 2006, which reads as follows :

« The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and cooperation of the Kingdom of Morocco 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 the Kingdom of Morocco pursuant to the Foreign Assistance Act of 1961, or successor legislation. In this regard the Embassy refers to the Agreement concerning the grants of certain defense articles, related training, and other defense services to Morocco from the United States under the Chapter 2 of Part II of the United States Foreign Assistance Act of 1961, or successor legislation, effected by exchange of notes at Rabat on July 11 and 15, 1991.

In accordance with these discussions, it is proposed that the Government of the Kingdom of Morocco agree :

(A). That unless the consent of the Government of the United States of America has been first obtained the Government of the Kingdom of Morocco 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 the Kingdom of Morocco ;

(II). Transfer, or permit any officer, employee or agent of the Government of the Kingdom of Morocco 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 the Kingdom of Morocco 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 the Kingdom of Morocco 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 furnished necessary information to, representatives of the Government of the United States

of America with regard to the use thereof by the Government of the Kingdom of Morocco ; 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 1991 agreement. This Agreement shall apply to defense articles and defense services to which the superseded 1991 agreement had applied prior to entry into force of this Agreement.

The Ministry of Foreign Affairs and cooperation of the Kingdom Morocco has the honor to confirm that the proposals set forth in the Embassy's note and this note in reply shall constitute an Agreement between the two Governments which shall into force on this date.

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

The Ministry has the honor to confirm hereby the agreement of the Government of the Kingdom of Morocco on what precedes.

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

Embassy of United States of America  
-Rabat-

