

EMBASSY OF THE  
UNITED STATES OF AMERICA

No. 87/03

The Embassy of the United States of America presents its compliments to the Department of State for Foreign Affairs of the Republic of The Gambia 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 from the United States of America to the government of The Gambia and the provision of such items by the United States Government to the Government of The Gambia for purposes of participation in a peacekeeping operations (PKO) in Liberia under Economic Community of West African States (ECOWAS) or other ECOWAS PKO.

In accordance with these discussions, it is proposed that the Government of The Gambia agree:

A. That unless the consent of the Government of the United States has been first obtained, the Government of The Gambia shall not:

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

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

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

B. That said articles or related training including training materials or defense services shall be returned to the Government of the United States of America or ECOWAS, if related to an ECOWAS peacekeeping mission, 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 Gambia 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 Gambia shall maintain the security of such articles, related training including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such articles or related training including training materials or defense services by the Government of the United States of America; that it shall, as the United States 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 Gambia.

E. That the Government of the United States of America may also from time to time make the provision of articles, services, and related training furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of this Agreement. (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).

The Ministry of Foreign Affairs note stating that the foregoing is acceptable to the Government of The Gambia shall, together with this Note, constitute an Agreement between the two Governments, which shall enter into force on the date of the Ministry's reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Department of State for Foreign Affairs of the Republic of The Gambia the assurances of its highest consideration.

Embassy of the United States of America,  
Banjul, August 14, 2003.

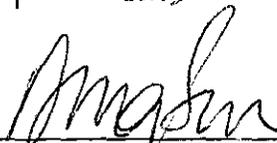


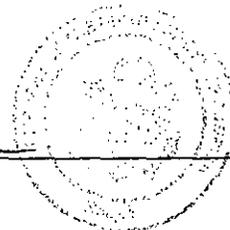
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Republic of The Gambia  
Banjul, The Gambia  
Embassy of the United States of America

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Subscribed and sworn to before me DOUGLAS SUN  
..... Consul of the United States of America at  
Banjul Republic of The Gambia, duly commissioned and  
qualified, this 18th day ..... of August 2003

  
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Douglas L. Sun  
Vice Consul



THE CONDITIONS SET FORTH IN THE U.S. NOTE NO.  
87/03, DATED AUGUST 14, 2003 ARE ACCEPTABLE TO THE  
GOVERNMENT OF THE GAMBIA AND THAT THE EMBASSY'S NOTE  
AND THIS NOTE IN REPLY SHALL CONSTITUTE AN AGREEMENT  
BETWEEN THE TWO GOVERNMENTS WHICH SHALL ENTER INTO  
FORCE ON THIS DATE.



THE REPUBLIC OF THE GAMBIA  
Department of State for Foreign Affairs  
No. 4 Marina Parade  
Banjul, The Gambia

Ref: IEC 555/176/01/(126-AEC)

The Department of State for Foreign Affairs of the Republic of The Gambia Presents its compliments to the Embassy of the United States of America in Banjul and with reference to the latter's Note Verbale ref: No. 87/03 of the 14<sup>th</sup> August 2003, has the honour to state as follows:

The conditions set forth in the Note No. 87/03 from the Embassy of the United States of America are acceptable to the Government of The Gambia and that the Embassy's Note and this Note in reply shall constitute an agreement between the two Governments which shall enter into force on this date.

The Department of State for Foreign Affairs of the Republic of The Gambia seizes this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

The Embassy of the  
United States of America  
Banjul

BANJUL, 18<sup>th</sup> August 2003

