

EMBASSY OF THE
UNITED STATES OF AMERICA

Dip Note No.: 101

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Cape Verde 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 Cape Verde.

In accordance with these discussions, it is proposed that the Government of Cape Verde agree:

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

- (I) Permit any use of such defense articles or related training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of Cape Verde;
- (II) Transfer or permit any officer, employee or agent of the Government of Cape Verde to transfer such articles or related training, including training materials, or other defense services by gift, sale or otherwise; 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 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 Cape Verde 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 Cape Verde shall:

(I) Maintain the security of such articles, related training, including training materials, and other defense services;

(II) Provide substantially the same degree of security protection afforded to such articles or related training, including training materials, or other defense services by the Government of the United States of America;

(III) As 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 Cape Verde; and

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 Cape Verde 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 Ministry of Foreign Affairs of the Republic of Cape Verde the assurances of its highest consideration.

Embassy of the United States of America

Praia, July 24, 2007





Ministério dos Negócios Estrangeiros, Cooperação e Comunidades
Direcção Geral da Política Externa

The Ministry of Foreign Affairs, Cooperation and Communities of the Republic of Cape Verde presents its compliments to the Embassy of the United States of America and has the honor to acknowledge the receipt of the latter's note Dip Note No: 101, dated of July 24, 2007, whose content is as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Cape Verde 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 Cape Verde.

In accordance with these discussions, it is proposed that the Government of Cape Verde agree:

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

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

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

- (I) Maintain the security of such articles, related training, including training materials, and other defense services;
- (II) Provide substantially the same degree of security protection afforded to such articles or related training, including training materials, or other defense services by the Government of the United States of America;
- (III) As 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 Cape Verde; and

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 Cape Verde 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 Ministry of Foreign Affairs of the Republic of Cape Verde the assurances of its highest consideration.

Embassy of the United States of America

Praia, July 24, 2007"

The Ministry of Foreign Affairs, Cooperation and Communities of the Republic of Cape Verde, has the honor and the pleasure to inform the Embassy of the United States of America that the Government of the Republic of Cape Verde agrees with the content of the transcribed note, which together with this note, constitute an agreement between the two governments, which shall enter into force on the date of this reply.

The Embassy of the Republic of Cape Verde avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Praia, July 31, 2007

