

SE 078 2009

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Seychelles 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 Republic of Seychelles pursuant to the Foreign Assistance Act of 1961, or successor legislation.

In this regard the Embassy refers to the Agreement concerning the provision of training related to defense articles under the International Military and Education (IMET) Program, effected by an exchange of notes at Victoria November 14, 1985 and February 21, 1986.

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

- A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Seychelles shall not:
- (1) 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

DIPLOMATIC NOTE

of the Republic of Seychelles;

(II) Transfer, or permit any officer, employee or agent of the Government of the Republic of Seychelles 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 Seychelles 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 Republic of Seychelles 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, and 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 Republic of Seychelles; 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.)

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Seychelles 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 and shall supersede in its entirety the aforementioned Agreement concerning the provision of training related to defense articles under the International Military Education and Training (IMET) Program, effected by an exchange of notes at Victoria November 14, 1985 and February 21, 1986.

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 Seychelles the assurances of its highest consideration.

Embassy of the United States of America,

Port Louis, August 28, 2009.





MFA/110/8/10/2/1

NOTE NO: 80/2009

The Ministry of Foreign Affairs of the Republic of Seychelles presents its compliments to the Embassy of the United States of America in Port Louis and has the honour to refer to the latter's Note SE 078 2009 of 28th August 2009, 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 Republic of Seychelles.

In this regard the Ministry also wishes to refer to the Agreement concerning the provision of training related to defense articles under the International Military and Education (IMET) Program, effected by an Exchange of Notes at Victoria, November 14, 1985 and February 21, 1986.

In accordance with discussions between Government representatives of both sides, the Government of the Republic of Seychelles agrees:

- A. *That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Seychelles 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 Republic of Seychelles;*
 - (II) *Transfer, or permit any officer, employee or agent of the Government of the Republic of Seychelles 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;*

Education and Training (IMET) Program, effected by an Exchange of Notes at Victoria, November 14, 1985 and February 21, 1986.

In thanking the Embassy of the United States of America in Port Louis for its continuing support and cooperation, the Ministry of Foreign Affairs of the Republic of Seychelles avails itself of this opportunity to renew to it the assurances of its highest consideration.

**VICTORIA
25TH SEPTEMBER 2009**

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