



No. 58500

The Ministry of Foreign Affairs of the Republic of Serbia presents its compliments to the Embassy of the United States of America and acknowledges receipt of the latter's Note No. 365/11, dated December 2, 2011, which reads as follows:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Serbia 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 Global Peace Operations Initiative (GPOI) program and the International Military and Education Training (IMET) program, from the United States of America to the Government of Serbia pursuant to the Foreign Assistance Act of 1961, or successor legislation. In accordance with these discussions, it is proposed that the Government of Serbia agree:

A That unless the consent of the Government of the United States of America has been first obtained, the Government of Serbia 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 Serbia;

II.) Transfer, or permit any officer, employee or agent of the Government of Serbia 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;

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B. That such defense articles, related training, including training materials, or other defense sendees 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 Serbia in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by 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 Serbia 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 information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Serbia; 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 this agreement. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and the United States regulations applicable to such transfers.)

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

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Serbia the assurances of its highest consideration.

The Ministry of the Foreign Affairs of the Republic of Serbia has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the Government of the Republic of Serbia 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 Ministry of Foreign Affairs of the Republic of Serbia takes this opportunity to renew to the Embassy of the United States of America assurances of its highest consideration.

Belgrade, December 15, 2011



No. 365/11

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Serbia 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 Global Peace Operations Initiative (GPOI) program and the International Military and Education Training (IMET) program, from the United States of America to the Government of Serbia pursuant to the Foreign Assistance Act of 1961, or successor legislation. In accordance with these discussions, it is proposed that the Government of Serbia agree:

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

II.) Transfer, or permit any officer, employee or agent of the Government of Serbia 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 Serbia in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by 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 Serbia 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 information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Serbia; 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 this agreement. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and the United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of Serbia shall, together with this note, constitute an agreement between 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 of the Republic of Serbia the assurances of its highest consideration.

Embassy of the United States of America
Belgrade, December 02, 2011
