DEFENSE

Caribbean Basin Security Initiative

Agreement Between the

UNITED STATES OF AMERICA

and THE BAHAMAS

Effected by Exchange of Notes at
Nassau October 15, 2012 and
June 11, 2013

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

THE BAHAMAS

Defense: Caribbean Basin Security Initiative

Agreement effected by exchange of notes at Nassau October 15, 2012 and June 11, 2013;
Entered into force June 11, 2013.

No. 160/12

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Commonwealth of The Bahamas and has the honor to refer to earlier discussions between representatives of the two Governments regarding the Caribbean Basin Security Initiative and the provision of technical support for maritime security forces through that initiative. The U.S. Government proposes to provide this type of support via a regional Technical Assistance Field Team to bolster the maintenance and logistics capabilities of Caribbean Basin Security Initiative partner nations' maritime forces through mentoring, training and development of partner nations' maintenance and logistics systems and processes. Support will be tailored to individual partner nations' requirements and could include, but is not limited to assessments, equipment, training, and technical support for maritime assets and maintenance and logistical systems. In accordance with these discussions, it is proposed that the Government of the Commonwealth of The Bahamas agree:

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

(II) Transfer, or permit any officer, employee or agent of the Government of the Commonwealth of The Bahamas 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 Commonwealth of The Bahamas 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; and

D. That the Government of the Commonwealth of The Bahamas 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; and that it shall, as the Government of the United States of America may require, permit continuous observation, scheduled inspections, physical inventories, 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 Commonwealth of The Bahamas.

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Commonwealth of The Bahamas 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 of the Commonwealth of The Bahamas the assurances of its highest consideration.

Embassy of the United States of America

Nassau, October 15, 2012.

Ministry of Foreign Affairs
P.O. Box N-3746
Goodman's Bay Corporate Centre
Nassau, N.P.,
The Bahamas

11th June 2013

NOTE NO. MFA/LAD/112

The Ministry of Foreign Affairs & Immigration of the Commonwealth of The Bahamas presents its compliments to the Embassy of the United States of America and acknowledges receipt of the Embassy's Note No. 160/12 dated October 15, 2012, which reads as follows;

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Commonwealth of The Bahamas and has the honor to refer to earlier discussions between representatives of the two Governments regarding the Caribbean Basin Security Initiative and the provision of technical support for maritime security forces through that initiative.

The U.S. Government proposes to provide this type of support via a regional Technical Assistance Field Team to bolster the maintenance and logistics capabilities of Caribbean Basin Security Initiative partner nations' maritime forces through mentoring, training and development of partner nations' maintenance and logistics systems and processes. Support will be tailored to individual partner nations' requirements and could include, but is not limited to assessments, equipment, training, and technical support for maritime assets and maintenance and logistical systems.

In accordance with these discussions, it is proposed that the Government of the Commonwealth of The Bahamas agree;

I. That unless the consent of the Government of the United States of America has been first obtained, the Government of the Commonwealth of The Bahamas shall not;

II. 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 Commonwealth of The Bahamas;

III. Transfer, or permit any officer, employee or agent of the Government of the Commonwealth of The Bahamas to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or

IV. 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;

a) 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;

b) That the net proceeds of sale received by the Government of the Commonwealth of The Bahamas 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; and;

V. That the Government of the Commonwealth of The Bahamas 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; and that it shall, as the Government of the United States of America may require, permit continuous observation, scheduled inspections, physical inventories, 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 Commonwealth of The Bahamas;

The Ministry of Foreign Affairs has the honour to inform that the foregoing provisions are acceptable to the Government of the Commonwealth of The Bahamas. As a consequence the Embassy's Diplomatic Note Note No. 160/12 dated October 15, 2012, together with this Diplomatic Note, shall constitute an agreement between the two Governments.

Additionally, the Ministry has the honour to advise that the aforementioned Agreement shall take effect as of today's date 11th June 2013;

The Ministry of Foreign Affairs of the Commonwealth of The Bahamas avails itself of this opportunity to renew to the Embassy of the United States of America, the assurances of its highest consideration.

Embassy of the United States Of America
Mosmar Building, Queen Street
Nassau, N.P.