

DEFENSE

**Agreement Between the
UNITED STATES OF AMERICA
and NIGER**

**Amending the Agreement of
July 18 and September 24, 1992**

Effected by Exchange of Notes
at Niamey January 13 and
February 18, 2005



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.”

NIGER

Defense

*Agreement amending the agreement of July 18
and September 24, 1992.
Effected by exchange of notes at Niamey
January 13 and February 18, 2005;
Entered into force February 18, 2005.*

No. 448

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs, Cooperation and African Integration of the Republic of Niger and has the honor to refer to the 1992 Agreement between the United States and Niger concerning payment to the United States of net proceeds from the sale or disposal of defense articles furnished on a grant basis. The Government of the United States now proposes that the Agreement be amended.

The Agreement would be amended by replacing "under the military assistance program of" with "on a grant basis from" in the second paragraph of the Agreement.

The Embassy proposes that this note and the Ministry's affirmative note in reply shall constitute an Agreement between the two Governments which shall enter into force on the date of the Ministry's reply.

If this proposal is acceptable to the Government of Niger, the Embassy requests that the Ministry's note of acceptance contain the following language:

DIPLOMATIC NOTE

BEGIN TEXT:

(Complimentary opening) and acknowledges receipt of the Embassy's Note No. 448, dated January 13, 2005, which reads as follows:

" The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs, Cooperation and African Integration of the Republic of Niger and has the honor to refer to the 1992 Agreement between the United States and Niger concerning payment to the United States of net proceeds from the sale or disposal of defense articles furnished on a grant basis. The Government of the United States now proposes that the Agreement be amended.

The Agreement would be amended by replacing "under the military assistance program of" with "on a grant basis from" in the second paragraph of the Agreement.

The Embassy proposes that this note and the Ministry's affirmative note in reply shall constitute an Agreement between the two Governments which shall enter into force on the date of the Ministry's reply."

The Ministry of Foreign Affairs, Cooperation and African Integration of the Republic of Niger has the honor to confirm to the Embassy of the United States of America that the Government of Niger approves the above-mentioned proposal. The Embassy's note and the Ministry's note shall constitute an agreement between the two Governments which shall enter into force on the date of this note.

The Ministry of Foreign Affairs, Cooperation and African Integration of the Republic of Niger avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

END TEXT.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs, Cooperation and African Integration of the Republic of Niger the assurance of its highest consideration.

Embassy of the United States of America,

Niamey, January 13, 2005.





Translation

Republic of Niger
Ministry of Foreign Affairs, Cooperation, and
African Integration
Bureau for the Americas, Asia, and Oceania

No. 0001043/MAE/C/IA/DAMAO

Niamey, February 18, 2005

The Ministry of Foreign Affairs, Cooperation, and African Integration of the Republic of Niger presents its compliments to the Embassy of the United States of America and has the honor to acknowledge receipt of its note verbale No. 448 of January 13, 2005, proposing an amendment to the Agreement between the United States of America and the Republic of Niger, regarding the terms and conditions relating to the furnishing of defense articles and services, concluded by exchange of notes dated July 18 and September 24, 1992.

The Ministry has the honor to confirm to the Embassy that the Government of the Republic of Niger hereby approves replacing the phrase “under the military assistance program [of]” in the second paragraph of the above-mentioned exchange of notes with the phrase “on a grant basis” and that this note and the Embassy’s note shall constitute an Agreement between the two governments as of today’s date.

[Complimentary close]

[Initialed]

[Ministry stamp]

Embassy of the United States of America,
Niamey

MINISTERE DES AFFAIRES ETRANGERES
DE LA COOPERATION
ET DE L'INTEGRATION AFRICAINE

DIRECTION AMERIQUE-ASIE-OCEANIE

N° _____/MAE/C/IA/DAMAO

0001043

Le Ministère des Affaires Etrangères, de la Coopération et de l'Intégration Africaine de la République du Niger présente ses compliments à l'Ambassade des Etats-Unis d'Amérique et, a l'honneur d'accuser réception de sa note verbale n°448 du 13 janvier 2005, proposant un amendement à l'Accord ~~entre~~ les Etats-Unis d'Amérique et la République du Niger, concernant les conditions relatives à la fourniture des services et matériels de défense, conclu par échange de notes en date des 18 juillet et 24 septembre 1992.

Le Ministère a l'honneur de confirmer à l'Ambassade que le Gouvernement de la République du Niger approuve le remplacement du groupe de mots « dans le cadre du programme d'assistance militaire », contenu dans le second paragraphe de l'Echange de Notes sus-indiqué, par le groupe de mots « à titre de subvention » et que la présente note et celle de l'Ambassade constituent un Accord entre les deux Gouvernements à compter de cette date.

Le Ministère des Affaires Etrangères, de la Coopération et de l'Intégration Africaine de la République du Niger saisit cette occasion pour renouveler à l'Ambassade des Etats-Unis d'Amérique les assurances de sa haute considération ✕

AMBASSADE DES ETATS-UNIS D'AMERIQUE

NIAMEY

