

DEFENSE

Cooperation

**Agreement Between the
UNITED STATES OF AMERICA
and the MULTINATIONAL FORCE AND
OBSERVERS**

Effected by Exchange of Notes at
Rome July 5 and 7, 2017



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.”

MULTINATIONAL FORCE AND OBSERVERS

Defense: Cooperation

*Agreement effected by exchange of notes
at Rome July 5 and 7, 2017;
Entered into force July 7, 2017.*

The Embassy of the United States of America presents its compliments to the Multinational Force and Observers (MFO) and on behalf of the Government of the United States of America and has the honor to refer to earlier discussions between the representatives regarding the Foreign Assistance Act of 1961, or successor legislation; the Arms Export Control Act; and Department of Defense authorities; and the furnishing on a grant basis of defense articles, related training, and other defense services from the United States of America to the MFO under such authorities.

In connection with these discussions, the Embassy proposes that the Government of the United States of America and the MFO agree:

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

(II) Transfer, or permit any officer, employee, or agent of the MFO 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 furnished.

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 MFO 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 MFO shall maintain the security of such defense articles, related training, including training materials, or 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; 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 MFO; 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 subject to the terms and conditions of the agreement proposed herein.

If the foregoing proposals are acceptable to the MFO, the Embassy proposes that this note and a reply note from the MFO to that effect shall constitute an agreement between the Government of the United States of America and the MFO, which shall enter into force on the date of the MFO's note.

Embassy of the United States of America

Rome, July 5, 2017





Multinational Force and Observers
Rome, Italy

The Multinational Force and Observers (MFO) presents its compliments to the Embassy of the United States of America and acknowledges receipt of the Embassy's Note No. 17-00454, dated 5 July 2017, which reads as follows:

The Embassy of the United States of America presents its compliments to the Multinational Force and Observers (MFO) and on behalf of the Government of the United States of America has the honor to refer to earlier discussions between the representatives regarding the Foreign Assistance Act of 1961, or successor legislation; the Arms Export Control Act; and Department of Defense authorities; and the furnishing on a grant basis of defense articles, related training, and other defense services from the United States of America to the MFO under such authorities.

In connection with these discussions, the Embassy proposes that the Government of the United States of America and the MFO agree:

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

(II) Transfer, or permit any officer, employee, or agent of the MFO 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 furnished.

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 MFO 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 MFO shall maintain the security of such defense articles, related training, including training materials, or 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; 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 MFO; and

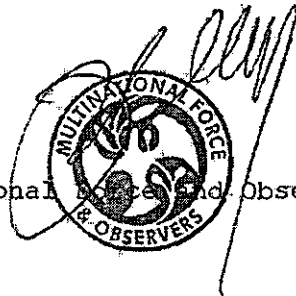
E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under

other authority subject to the terms and conditions of the agreement proposed herein.

If the foregoing proposals are acceptable to the MFO, the Embassy proposes that this note and a reply note from the MFO to that effect shall constitute an agreement between the Government of the United States of America and the MFO, which shall enter into force on the date of the MFO's note.

The Multinational Force and Observers has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the MFO and that the Embassy's note and this note in reply shall constitute an Agreement between the Government of the United States of America and the MFO which shall enter into force on this date.

Multinational Force and Observers



7 July 2017

Rome, Italy