

**DEFENSE**

**Cooperation**

**Agreement Between the  
UNITED STATES OF AMERICA  
and COTE D'IVOIRE**

Effected by Exchange of Notes at  
Abidjan June 7, 2017 and February 23, 2018



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.”

**COTE D'IVOIRE**

**Defense: Cooperation**

*Agreement effected by exchange of notes at  
Abidjan June 7, 2017 and February 23, 2018;  
Entered into force February 23, 2018.*

Note No. 135-2017

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Côte d'Ivoire and has the honor to refer to earlier discussions between representatives of the two Governments regarding the Foreign Assistance Act of 1961 or successor legislation; the Arms Export Control Act; 10 U.S.C. § 333, and other 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 Côte d'Ivoire under such authorities.

In this regard, the Embassy has the honor to refer to the Agreement between the Government of the United States of America and the Government of Côte d'Ivoire concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) program, effected by exchange of notes at Abidjan on March 21 and April 21, 1983 (1983 Agreement). In connection with these

**DIPLOMATIC NOTE**

discussions, the Embassy proposes that the Government of the United States of America and the Government of Côte d'Ivoire agree:

A. That, unless the written consent of the Government of the United States of America has been first obtained, the Government of Côte d'Ivoire 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 Côte d'Ivoire;

(II) Transfer, or permit any officer, employee, or agent of the Government of Côte d'Ivoire 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 Government of Côte d'Ivoire 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 Côte d'Ivoire 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 as that 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 Government of Côte d'Ivoire; 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 Government of Côte d'Ivoire, the Embassy proposes that this note and a note from the Ministry of Foreign Affairs to that effect shall 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 1983 Agreement.

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 Côte d'Ivoire the assurances of its highest consideration.

Embassy of the United States of America,

Abidjan, June 7, 2017.





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**Translation**

Republic of Côte d'Ivoire  
Ministry of Foreign Affairs

No. 02863/MAE/SG/DGCB/DAC/SDANC/KAR/EKM

The Ministry of Foreign Affairs of the Republic of Côte d'Ivoire presents its compliments to the Embassy of the United States of America in Côte d'Ivoire and has the honor to acknowledge receipt of its note verbale No. 135-2017 of June 7, 2017, which reads as follows:

Quote:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Côte d'Ivoire and has the honor to refer to earlier discussions between representatives of the two Governments regarding the Foreign Assistance Act of 1961 or successor legislation; the Arms Export Control Act; 10 U.S.C. § 333, and other 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 Côte d'Ivoire under such authorities. In this regard, the Embassy has the honor to refer to the Agreement between the Government of the United States of America and the Government of Côte d'Ivoire concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) program, effected by exchange of notes at Abidjan on March 21 and April 21, 1983 (1983 Agreement).

Embassy of the United States of America in Côte d'Ivoire,  
Abidjan.

In connection with these discussions, the Embassy proposes that the Government of the United States of America and the Government of Côte d'Ivoire agree:

A. That, unless the written consent of the Government of the United States of America has been first obtained, the Government of Côte d'Ivoire 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 Côte d'Ivoire;

(II) Transfer, or permit any officer, employee, or agent of the Government of Côte d'Ivoire 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 Government of Côte d'Ivoire 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 Côte d'Ivoire 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 as that 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 Government of Côte d'Ivoire; 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.<sup>1</sup>

Unquote.

The Ministry of Foreign Affairs has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the Government of Côte d'Ivoire 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 the date of the Ministry's note and shall supersede in its entirety the aforementioned 1983 Agreement.

The Ministry of Foreign Affairs of the Republic of Côte d'Ivoire thanks the Embassy of the United States of America in Côte d'Ivoire for its cooperation and avails itself of the opportunity to renew to the Embassy the assurances of its highest consideration.

Abidjan, February 23, 2018

[Initialed]

[Ministry stamp]

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<sup>1</sup> The following two paragraphs of U.S. Embassy Note 135-2017 of June 7, 2017, which were included in the official French translation, were omitted from the quoted text in the Ministry's Dipnote:

"If the foregoing proposals are acceptable to the Government of Côte d'Ivoire, the Embassy proposes that this note and a note from the Ministry of Foreign Affairs to that effect shall 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 1983 Agreement.

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 Côte d'Ivoire the assurances of its highest consideration."



N° 02863 /MAE/SG/DGCB/DAC/SDANC/KAR/EKM

Le Ministère des Affaires Étrangères de la République de Côte d'Ivoire présente ses compliments à l'Ambassade des États-Unis d'Amérique en Côte d'Ivoire et a l'honneur d'accuser réception de sa note verbale N°135-2017 du 07 juin 2017, qui est libellée comme suit :

L'Ambassade des États-Unis d'Amérique présente ses compliments au Ministère des Affaires Étrangères de la République de Côte d'Ivoire et a l'honneur de se référer aux discussions qui ont eu lieu entre les représentants des deux Gouvernements relativement à la Loi de 1961 sur l'aide à l'étranger ou la législation subséquente ; à la Loi relative au contrôle des exportations d'armes ; à 10 U.S.C. § 333, et d'autres autorités du Département de la Défense ; ainsi qu'à la fourniture, à titre de subvention, d'articles de défense, de formations associées, et d'autres services de défense par les États-Unis à la Côte d'Ivoire en vertu desdites autorités. A cet égard, l'Ambassade a l'honneur de se référer à l'accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la Côte d'Ivoire relatif à l'offre de formation dans le domaine des articles de la défense dans le cadre du Programme International d'Éducation et Formation Militaire (IMET) des États-Unis, conclu par échange de notes à Abidjan le 21 mars et le 21 avril 1983 (l'accord de 1983).

En relation avec ces discussions, l'Ambassade propose que le Gouvernement des États-Unis et le Gouvernement de la Côte d'Ivoire conviennent :

A. Que, à moins d'avoir obtenu le consentement écrit préalable du Gouvernement des États-Unis, le Gouvernement de la Côte d'Ivoire ne doit :

- (I) Permettre l'utilisation des articles de défense, des formations associées, y compris le matériel de formation, ou d'autres services de défense par tout individu n'étant pas officier, employé, ou agent du Gouvernement de la Côte d'Ivoire.
- (II) Transférer, ou permettre à tout officier, employé ou agent du Gouvernement de la Côte d'Ivoire de transférer lesdits articles de défense, formations associées, y compris le matériel de formation, ou autres services de défense par don, vente, ou par un autre moyen; ou

Abidjan, le

23 FEV 2018

**AMBASSADE DES ETATS-UNIS  
D'AMERIQUE EN CÔTE D'IVOIRE**

**ABIDJAN**

(III) Utiliser, ou permettre l'utilisation desdits articles de défense, formations associées, y compris le matériel de formation, ou autres services à des fins autres que celles auxquelles ils sont fournis.

B. Que lesdits articles de défense, formations associées, y compris le matériel de formation ou autres services de défense doivent être retournés au Gouvernement des Etats-Unis d'Amérique lorsque ceux-ci ne sont plus nécessaires pour les fins prévues, à moins que le Gouvernement des Etats-Unis d'Amérique ne consente à une autre disposition ;

C. Que le produit net de vente reçu par le Gouvernement de la Côte d'Ivoire en disposant, avec le consentement écrit préalable du Gouvernement des Etats-Unis d'Amérique, de tout article de défense fourni par le Gouvernement des Etats-Unis d'Amérique à titre de subvention, y compris les déchets provenant de tels articles de défense, doit être reversé au Gouvernement des Etats-Unis d'Amérique;

D. Que le Gouvernement de la Côte d'Ivoire doit veiller à la sécurité de ces articles de défense, formations associées, y compris le matériel de formation ou autres services de défense; qu'il doit fournir substantiellement le même degré de protection sécuritaire que celui accordé à ces articles de défense, formations associées, y compris le matériel de formation ou autres services de défense par le Gouvernement des Etats-Unis d'Amérique; et il devra, tel que le Gouvernement des Etats-Unis d'Amérique pourrait l'exiger, autoriser l'observation continue, les inspections périodiques, les inventaires et révisions du matériel par, et fournir les informations nécessaires aux représentants du Gouvernement des Etats-Unis d'Amérique quant à l'utilisation de ces articles par le Gouvernement de la Côte d'Ivoire ; et

E. Que le Gouvernement des Etats-Unis d'Amérique peut aussi, de temps en temps, soumettre la fourniture des articles et services, offerts en vertu d'une autre autorité, aux termes et conditions de l'accord proposé dans la présente.

Le Ministère des Affaires Etrangères a l'honneur de confirmer que les propositions formulées dans la note de l'Ambassade sont acceptables pour le Gouvernement de la Côte d'Ivoire et que la note de l'Ambassade ainsi que la présente note en réponse devront constituer un accord entre les deux Gouvernements, lequel accord entrera en vigueur à la date de la note du Ministère et remplacera dans son entièreté l'accord de 1983 susmentionné.

Le Ministère des Affaires Etrangères de la République de Côte d'Ivoire remercie l'Ambassade des Etats-Unis d'Amérique en Côte d'Ivoire de son aimable coopération et saisit cette occasion pour lui renouveler les assurances de sa haute considération.

