

DEFENSE

Cooperation

**Agreement Between the
UNITED STATES OF AMERICA
and HONDURAS
Amending the Annex of
the Agreement of
May 6 and May 7, 1982**

Effected by Exchange of Notes at
Tegucigalpa September 13, 2017 and May 16, 2018

with

Attachment



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.”

HONDURAS

Defense: Cooperation

*Agreement amending the annex of the agreement
of May 6 and May 7, 1982.
Effected by exchange of notes at Tegucigalpa
September 13, 2017 and May 16, 2018,
with attachment;
Entered into force May 16, 2018.*

No. 435

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Honduras and has the honor to refer to the Bilateral Military Assistance Agreement Between the Government of the United States of America and the Government of the Republic of Honduras, signed at Tegucigalpa on May 20, 1954, and the Agreement Between the Government of the United States of America and the Government of the Republic of Honduras relating to the Bilateral Military Assistance Agreement of May 20, 1954, concerning the use and improvement of certain facilities in Honduras by the United States, with Annex, effected by exchange of notes at Tegucigalpa, May 6 and May 7, 1982 (the "Annex"), as well as to recent discussions concerning the use and commercial development of facilities at the Honduran aerial port of Palmerola ("Palmerola").

Recognizing that the Annex provides for the use and improvement of facilities at Palmerola by the United States of America ("United States"), and that the Republic of Honduras has been providing the United States unimpeded access to and use of facilities at Palmerola; and seeking to ensure uninterrupted U.S. operations at Palmerola during and after its transition to a dual-use aerial port, the

Embassy has the honor to propose the following Agreement between the Government of the United States of America and the Government of the Republic of Honduras to amend the Annex:

1. That the following text shall be inserted in the Annex as a new paragraph 5: "The Government of the United States of America and its contractors shall have unimpeded access to and use of facilities and areas (termed "Operating Areas") at Palmerola, as depicted in Appendix A to this Annex, which shall be an integral part of this Annex. Operating Areas shall be designated either for joint use or for exclusive use by the United States and its contractors, as such use is depicted in Appendix A to this Annex. The Government of the United States of America and the Government of Honduras shall cooperate on planning regarding the future use and development at and around Palmerola to the extent that such future use and development may affect the Operating Areas set forth in Appendix A to this Annex or the activities of the United States at Palmerola. The Government of the United States of America and the Government of Honduras, or their designated representatives, may amend Appendix A to this Annex by mutual written consent and may enter into Technical Arrangements to implement this Annex."

2. That existing paragraphs 5 through 9 of the Annex shall be re-numbered, respectively, as paragraphs 6 through 10; and

3. That the Attachment to this diplomatic note shall constitute Appendix A to the Annex.

If the foregoing proposals are acceptable to the Government of the Republic of Honduras, the Embassy further proposes that this note and the Ministry's affirmative reply thereto shall constitute an agreement between the two Governments to amend the Annex, which shall enter into force on the date of the Ministry's reply note.

The Embassy of the United States of America avails itself of this occasion to renew to the Ministry of Foreign Affairs of the Republic of Honduras the assurances of its highest consideration.

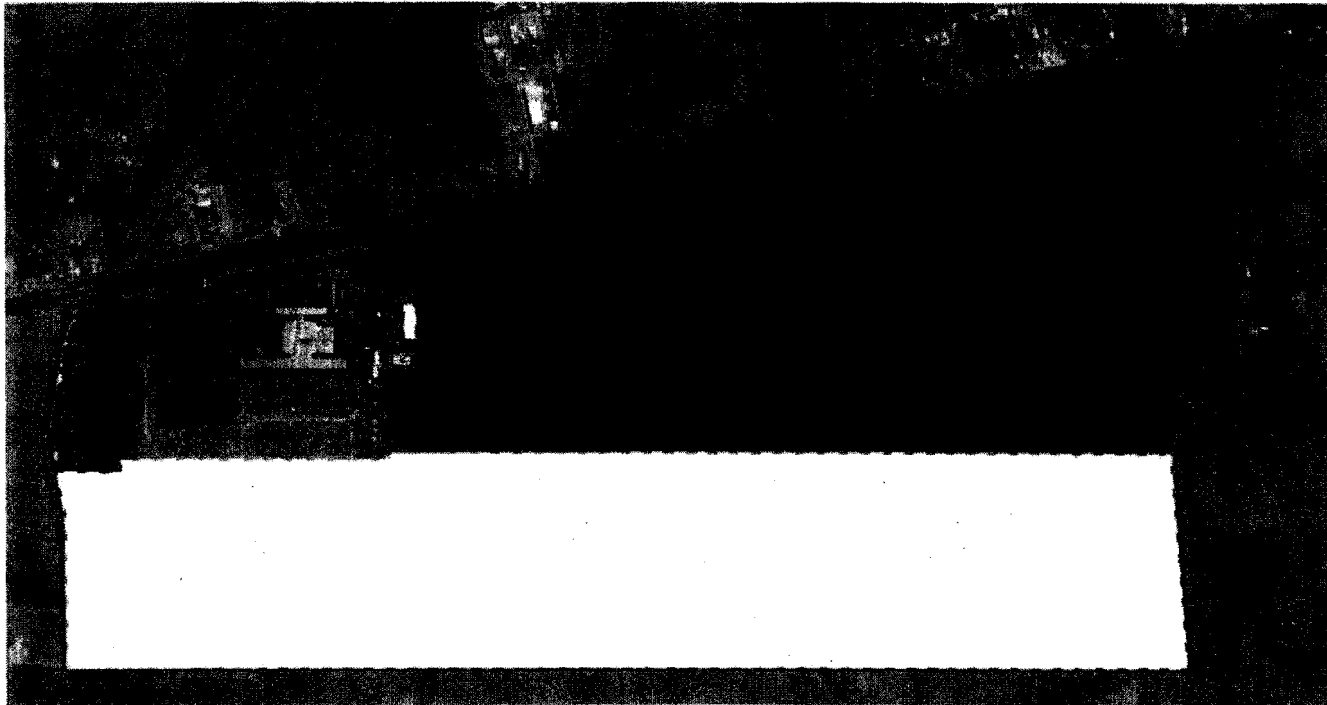
Attachment: Appendix A to the Annex: Map of Palmerola International Airport and Soto Cano Air Base.

Embassy of the United States of America,

Tegucigalpa, Honduras, September 13, 2017.



Palmerola International Airport / Soto Cano Air Base



This document depicts the Operating Areas granted by the Government of Honduras (HND) to the Government of the United States (US) for access and use by the Government of the United States and its contractors.

Map Created on July 7, 2017

Reference Boundaries

Military

Concessionaire

Operating Areas

US Government Exclusive Use

Joint Use (HND and US Governments)

Other

HND Exclusive Use

US Established Fuel Farm

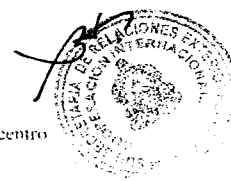
General Access and Use



Nota Verbal N° 021 DGAJT

La Secretaría de Relaciones Exteriores y Cooperación Internacional- Dirección General de Asuntos Jurídicos y Tratados saluda muy atentamente a la Honorable Embajada de los Estados Unidos de América, en ocasión de referirse a su Nota Verbal N° No. 435 fecha 14 de septiembre de 2017 en la cual hace referencia al Acuerdo Bilateral de Asistencia Militar entre el Gobierno de los Estados Unidos de América y el Gobierno de la Republica de Honduras, firmado en Tegucigalpa, el 20 de mayo de 1954, con relación al uso y las mejoras de ciertas instalaciones en Honduras por parte de los Estados Unidos, con Anexo, efectuado por medio del intercambio de notas en Tegucigalpa, el 6 y 7 de mayo de 1982 (el "Anexo"), así como a recientes discusiones relacionadas con el uso y el desarrollo comercial de las instalaciones en el puerto aéreo hondureño de Palmerola ("Palmerola"), en tal sentido propone el Acuerdo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Honduras para enmendar el citado anexo que establece lo siguiente:

"1. Que el siguiente texto deberá ser insertado en el Anexo como un nuevo párrafo 5: "El Gobierno de los Estados Unidos de América y sus contratistas deberán tener acceso y uso ininterrumpido a las instalaciones y áreas (designadas "Áreas de Operación") en Palmerola, como se representa en el Apéndice A del presente Anexo, que deberá ser una parte integral de este Anexo. Las Áreas de Operación deberán ser designadas para el uso conjunto o exclusivo de los Estados Unidos y sus contratistas, y este uso se representa en el Apéndice A de este Anexo. El Gobierno de los Estados Unidos de América y el Gobierno de Honduras deberán cooperar en la planificación con relación al uso y desarrollo futuro en y alrededor de Palmerola en la medida que ese uso y desarrollo futuro pueda afectar las Áreas de Operación establecidas en el Apéndice A del presente Anexo o las actividades de los Estados Unidos en Palmerola. El Gobierno de los Estados Unidos de América y el Gobierno de Honduras, o sus representantes designados, podrán enmendar el Apéndice A del presente Anexo de mutuo consentimiento por escrito y podrán suscribir Acuerdos Técnicos para implementar el presente Anexo."



2. Que los párrafos existentes 5 al 9 del Anexo serán numerados nuevamente, respectivamente, como párrafos 6 al 10; y

3. Que el documento adjunto a la presente Nota Diplomática deberá ser considerado el Apéndice A al Anexo"

La Secretaría de Relaciones Exteriores y Cooperación Internacional tiene a bien en manifestar su conformidad con la propuesta antes descrita razón por la cual su Nota y esta Nota de respuesta constituirán un Acuerdo, el cual entrará en vigor en la fecha de esta nota de respuesta.

La Secretaría de Relaciones Exteriores y Cooperación Internacional.- Dirección General de Tratados y Convenios- aprovecha la oportunidad para reiterar a la Honorable Embajada de los Estados Unidos de América, las muestras de su más alta y distinguida consideración.

Tegucigalpa M.D.C 16 de mayo de 2018

Honorable
Embajada de los Estados Unidos
de América





Translation and Comparison

Government of the Republic of Honduras
Ministry of Foreign Affairs

Note verbale No. 021 DGAJT

The Ministry of Foreign Affairs, Office of Legal Affairs and Treaties, presents its compliments to the Embassy of the United States of America and has the honor to refer to its note verbale No. 435 of September 14, 2017, in which it refers to the Bilateral Military Assistance Agreement Between the Government of the United States of America and the Government of the Republic of Honduras, signed at Tegucigalpa on May 20, 1954, concerning the use and improvement of certain facilities in Honduras by the United States, with Annex, effected by exchange of notes at Tegucigalpa, May 6, and May 7, 1982 (the "Annex"), as well as to recent discussions concerning the use and commercial development of facilities at the Honduran aerial port of Palmerola ("Palmerola"), and in which it proposes an Agreement between the Government of the United States of America and the Government of the Republic of Honduras to amend the Annex in question, which reads as follows:

Quote:

1. That the following text shall be inserted in the Annex as a new paragraph 5:

"The Government of the United States of America and its contractors shall have unimpeded access to and use of facilities and areas (termed "Operating Areas") at Palmerola, as depicted in Appendix A to this Annex, which shall be an integral part of

Embassy of the United States of America,
Tegucigalpa.

this Annex. Operating Areas shall be designated either for joint use or for exclusive use by the United States and its contractors, as such use is depicted in Appendix A to this Annex. The Government of the United States of America and the Government of Honduras shall cooperate on planning regarding the future use and development at and around Palmerola to the extent that such future use and development may affect the Operating Areas set forth in Appendix A to this Annex or the activities of the United States at Palmerola. The Government of the United States of America and the Government of Honduras, or their designated representatives, may amend Appendix A to this Annex by mutual written consent and may enter into Technical Arrangements to implement this Annex.”

2. That existing paragraphs 5 through 9 of the Annex shall be re-numbered, respectively, as paragraphs 6 through 10; and

3. That the Attachment to this diplomatic note shall constitute Appendix A to the Annex.

Unquote.

In this regard, the Ministry of Foreign Affairs states that the above proposal is acceptable and that the Embassy’s note and this note in reply shall constitute an agreement, which shall enter into force on the date of this note.

[Complimentary close]

Tegucigalpa, M.D.C., May 16, 2018

[Initialed]

[Ministry stamp]