

DEFENSE

**Agreement Between the
UNITED STATES OF AMERICA
and SAINT KITTS AND NEVIS**

Effected by Exchange of Notes at
Bridgetown and Basseterre
November 13, 1998 and March 11, 1999



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.”

SAINT KITTS AND NEVIS

Defense

*Agreement effected by exchange of notes at
Bridgetown and Basseterre
November 13, 1998 and
March 11, 1999;
Entered into force March 11, 1999.*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 107

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of St. Kitts and Nevis and has the honor to refer to a letter of October 22, 1998 from Charge d'Affaires Roland W. Bullen to the Prime Minister regarding the provision of articles, services, and training by the United States Government for counter-drug purposes under Presidential Determination number 98-41.

The Embassy of the United States of America has the further honor to propose that our governments agree that the following provisions shall apply with regard to articles, services, and associated training transferred to the Government of St. Kitts and Nevis for antinarcotics purposes pursuant to Presidential Determination Number 98-41 of September, 30, 1998:

- A. That the Government of St. Kitts and Nevis shall not, unless the consent of the Government of the United States has first been obtained:
- I) Permit any use of any articles, services or related training by anyone not an officer, employee or agent of the Government of St. Kitts and Nevis;
 - II) Transfer or permit any officer, employee or agent of the Government of St. Kitts and Nevis to transfer articles, services or related training by gift, sale or otherwise; or
 - III) Use or permit the use of articles, services or related training for purposes other than those for which delivered;
- B. That said, articles, services or related training 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 St. Kitts and Nevis in disposing of, with prior written consent of the Government of the United States of America, any article, service, or related training, furnished by the Government of the United States of America on a grant basis, including scrap from any such article, service or related training, shall be paid to the Government of the United States of America;

D. That the Government of St. Kitts and Nevis shall maintain the security of such articles, services or related training; that it shall provide substantially the same degree of security protection afforded to such articles, services or related training by the Government of the United States of America; that it shall, as the United States may require, permit continuous observation 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 St. Kitts and Nevis; and

E. That the Government of the United States of America may also from time to time make the provision of other articles, services or related training furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of this agreement. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that act and United States regulations applicable to such transfers.)

If the Government of St. Kitts and Nevis agrees with the conditions set forth above, the Government of the United States proposes that this note, together with a Diplomatic Note in reply stating that the foregoing is acceptable, shall constitute an agreement between our two governments on this subject, effective from the date of your reply. Suggested language for the Diplomatic Note in reply is attached.

The Government of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of St. Kitts and Nevis the assurances of its highest consideration.

Embassy of the United States of America

Bridgetown, Barbados





SAINT CHRISTOPHER AND NEVIS

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REF. No.: **FAU19/006**

Note No 187/1999

The Ministry of Foreign Affairs of St Kitts and Nevis presents its compliments to the Embassy of the United States of America and has the honour to refer to the latter's note No. 107 dated November 13, 1998

The Ministry has the further honour to confirm that the proposals set forth in the aforementioned note are acceptable and that this said note constitute an agreement between our governments which enter into force on this date.

The Ministry of Foreign Affairs of St Kitts and Nevis avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Basseterra

March 11, 1999

