

**DEFENSE**

**Cooperation**

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

Exchange of Notes at Brussels  
December 18 and 19, 1995

Entered into force December 19, 1995



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.”

UNITED STATES PERMANENT REPRESENTATIVE  
ON THE  
NORTH ATLANTIC COUNCIL

18 December 1995

His Excellency  
Sir John Goulden, KCMG  
Permanent Representative  
of the United Kingdom  
to the North Atlantic  
Treaty Organization  
Brussels

Dear Sir John:

I am honored to refer to discussions between our respective representatives regarding the U.S. approval for retransfer of U.S. defense articles and services to NATO for purposes of supporting the NATO-led Implementation Force (IFOR) established by North Atlantic Council decision and the recent agreement between the United States and NATO under which the United Kingdom is authorized to receive such defense articles and defense services on behalf of NATO, under such arrangements as may be agreed between representatives of the United States and the United Kingdom.

In accordance with these discussions, it is proposed that the following arrangement be made between the Ministry of Defense of the United Kingdom (MOD) and the Department of Defense of the United States (DOD):

1. Recognizing the intent of the parties thereto that the agreement concerning Defense Cooperation arrangements between the Government of the United States and the Government of the United Kingdom will apply to this agreement;
2. The MOD will not, unless the consent of the DOD has first been obtained:
  - (a) Permit any use of any such defense articles or defense services by anyone not a member of the UK Armed Forces, or an employee or agent of the MOD.

(b) Transfer or permit a member of the UK Armed Forces, or an employee or agent of the MOD to transfer such articles or services by gift, sale, or otherwise; or

(c) Use or permit the use of such articles or services for purposes other than those described above.

3. Said articles and services will be returned to the DOD at a mutually-agreed location in Western Europe when they are no longer needed for the purposes described above, unless the DOD consents to another disposition.

4. MOD will maintain the security of such articles and services, and will provide substantially the same degree of security protection afforded to such articles or services by the DOD; any classified information or material provided pursuant to this arrangement will be stored, handled, transmitted, and safeguarded in accordance with the general security agreement between the Government of the United States of America and the Government of the United Kingdom, dated 14 April 1961, as amended.

5. MOD will, as the DOD may require, permit continuous observation and review by, and furnish necessary information to, representatives of the DOD with regard to the use of such articles or services.

If the foregoing is acceptable to the Government of the United Kingdom, the United States Mission has the further honor to propose that this note, together with the reply of the government of the United Kingdom stating that the foregoing is acceptable, set out the arrangement between the United States and the United Kingdom on this subject, which will take effect on this date.

Sincerely,



Robert E. Hunter

United Kingdom  
Permanent Representative  
on the North Atlantic Council

OTAN/NATO

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19 December 1995

His Excellency  
The Honorable Robert E Hunter  
Permanent Representative of the United States  
of America on the North Atlantic Council  
NATO HQ

*Dear Bob*

I am honoured to acknowledge receipt of your letter of 18 December 1995 regarding US approval for retransfer of US defence articles and services for the purposes of supporting the NATO-led Implementation Force (IFOR) established pursuant to the North Atlantic Council decision, and the recent agreement between the United States and NATO under which the United Kingdom is authorised to receive such defence articles and defence services on behalf of NATO under such terms and conditions as may be agreed between representatives of the United States and the United Kingdom.

I have the further honour to inform you that the proposal contained in your letter is acceptable, and to confirm that the Mission's note, together with this reply, sets out the arrangement made between the Department of Defense of the United States and the Ministry of Defence of the United Kingdom on this subject which will take effect on this date.

  
John Goulden