

LAW ENFORCEMENT

Assistance

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

Effected by Exchange of Notes at
Tegucigalpa October 16 and 22, 1998

Entered into force October 22, 1998



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.”

No. 159

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 earlier discussions between representatives of the Governments of the United States of America and of Honduras regarding security assistance matters and the provision of articles, services and associated military education and training by the United States Government for anti-narcotics purposes.

In accordance with these discussions, this Embassy has the honor to propose, on behalf of the Government of the United States of America, that our Governments agree that the following provisions shall apply with regard to articles, services and associated training transferred to the Government of Honduras for anti-narcotics purposes, pursuant to Presidential Determination No. 98-41 of September 30, 1998:

A. That the Government of Honduras shall not, unless the consent of the Government of the United States of America has first been obtained:

I) Permit any use of any articles, services or related articles, services and training under 506 drawdown training by anyone not an officer, employee or agent of the Government of Honduras;

II) Transfer or permit any officer, employee or agent of the Government of Honduras 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 Honduras 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;

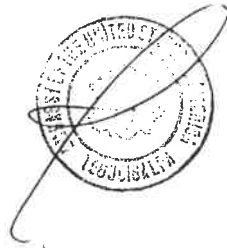
D. That the Government of Honduras shall maintain the security of such articles, services or related training; that it shall provide substantially the same degree of security protection afforded to such articles, services or related training by the Government of the United States of America; that it 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 Honduras; 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 your Government agrees with the conditions set forth above, this Embassy proposes that this note, together with the Ministry's reply stating that the foregoing is acceptable, shall constitute an agreement between our Governments on this subject, effective from the date of your reply.

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 Honduras the assurances of its highest and most distinguished consideration.

Embassy of the United States of America,
Tegucigalpa, October 16, 1998.



SECRETARIA DE RELACIONES EXTERIORES
DE LA
REPUBLICA DE HONDURAS

NO. 223/98/USLT

La Secretaría de Relaciones Exteriores saluda muy atentamente a la Honorable Embajada de los Estados Unidos de América, y tiene el honor de confirmar que son aceptables las propuestas expresadas en su nota número 159, de fecha 16 de octubre de 1998, y que su nota y la presente nota constituyen un acuerdo entre nuestros dos Gobiernos, que entrará en vigencia en la fecha de hoy.

La Secretaría de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Honorable Embajada de los Estados Unidos de América, las muestras de su más alta y distinguida consideración.

Tegucigálpa, M.D.C., 22 de octubre de 1998.

A la Honorable
Embajada de los
Estados Unidos de América
Ciudad



**Ministry of Foreign Relations of the
Republic of Honduras**

No. 223/98/USLT

The Ministry of Foreign Relations presents its compliments to the Embassy of the United States of America, and has the honor to confirm that the proposals contained in its note No. 159 of October 16, 1998, are acceptable, and proposes that its note and this one constitute an agreement between our two governments, which shall enter into force today.

[Complimentary close]

Tegucigalpa, M.D.C., October 22, 1998

[Initialed]

[Ministry stamp]

Embassy of the United States of America,
Tegucigalpa.