

DEFENSE

Assistance

**Agreement between the
UNITED STATES OF AMERICA
and TOGO**

Effected by Exchange of Notes at Lome
January 22 and February 5, 2003



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.”

TOGO

Defense: Assistance

*Agreement effected by exchange of notes at Lome
January 22 and February 5, 2003;
Entered into force February 5, 2003.*

**EMBASSY OF THE
UNITED STATES OF AMERICA**

No. 006

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Cooperation of the Republic of Togo and has the honor to refer to the loan of U.S. Government equipment and provision of logistic support services to the Economic Community of West African States (ECOWAS) and its members in support of the prospective ECOFORCE peacekeeping operation (PKO) in Côte d'Ivoire.

In accordance with these discussions, it is proposed that the Government of Togo agree:

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

(i) permit any vehicles, radios, generators, or other equipment or articles loaned or logistic support services provided in support of the prospective ECOFORCE peacekeeping operation (PKO) to be used by anyone not an officer, employee or agent of the Government of Togo or the Economic Community of West African States (ECOWAS) or its member states participating in the ECOFORCE PKO;

(ii) transfer or permit any officer, employee or agent of the Government of Togo to transfer such



vehicles, radios, generators or other equipment or articles or logistic support services by gift, sale or otherwise except to the Economic Community of West African States (ECOWAS) or its member states participating in the ECOFORCE PKO; or

(iii) use or permit the use of such vehicles, radios, generators, or other equipment or articles or logistic support services for purposes other than those for which provided;

B. That said vehicles, radios, generators, or other equipment or articles or 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 Government of Togo shall maintain the security of such vehicles, radios, generators, or other equipment or articles; that it shall provide substantially the same degree of security protection afforded to such vehicles, radios, generators or other equipment or articles 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 Togo; and the

Ministry of Foreign Affairs and Cooperation's note
(English version) stating that the foregoing is acceptable
to the Government of Togo shall, together with this note
(English version), constitute an agreement between the two
governments, which shall enter into force on the date of
the Ministry's reply.

The Embassy of the United States of America avails
itself of this opportunity to renew with the Ministry of
Foreign Affairs and Cooperation the assurance of our
highest consideration.

Embassy of the United States of America

Lome, Togo

Enclosure: Proposed Suggested Response (English)



N° 100 MAEC/CAB

Le Ministère des Affaires Etrangères et de la Coopération présente ses compliments à l'Ambassade des Etats-Unis d'Amérique et, se référant à sa note verbale n° 006 en date du 22 janvier 2003, a l'honneur de porter à sa connaissance que les Autorités Compétentes Togolaises marquent leur accord aux conditions de prêt d'équipements et de fourniture de services proposées par le Gouvernement des Etats-Unis dans le cadre du déploiement de l'ECOFORCE en République de Côte d'Ivoire.

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



Lomé, le 5 février 2003

AMBASSADE DES ETATS-UNIS
D'AMERIQUE

LOME



TRANSLATION

Togolese Republic

No. 100 MAEC/CAB

Lomé, February 5, 2003

Embassy of the United States of America
Lomé

The Ministry of Foreign Affairs and Cooperation presents its compliments to the Embassy of the United States of America and, in reference to its note verbale No. 006 of January 22, 2003, has the honor to inform the Embassy that the relevant Togolese authorities have agreed to the conditions for the loan of equipment and provision of services proposed by the Government of the United States within the framework of deployment of the ECOFORCE in Cote d'Ivoire.

[Complimentary close]

[Initialed]

[Stamp: Togolese Republic, Ministry of Foreign Affairs and Cooperation]