

DEFENSE

Assistance

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

Effected by Exchange of Notes at
Managua August 26 and September 4, 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.”

NICARAGUA

Defense: Assistance

*Agreement effected by exchange of notes at
Managua August 26 and September 4, 2003;
Entered into force September 4, 2003.*

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Nicaragua and has the honor to refer to the loan of U.S. Government equipment (vehicles, radios, generators, and any other equipment) and provision of logistic support services to Polish-led Multinational Division and its members in support of Peacekeeping Operations (PKO) in Iraq. Furthermore, the Embassy has the honor to refer to the text signed in Managua, April 23, 1954, as well as the Ministry's note of June 28, 1974, together with the Embassy's note of May 15, 1974, which constitute agreements between the two governments regarding end-use, retransfer and security assurances for grants of defense articles or related training or other defense services furnished by the Government of the United States of America under the authority of the Foreign Assistance Act (FAA) of 1961, as amended, or successor legislation, to the Government of Nicaragua (hereinafter the Agreement). In this regard, the Embassy proposes that the terms and conditions of the Agreement shall apply to:

(A) the vehicles, radios, generators, and any other equipment and logistic support services which may be loaned or provided in support of the Polish-led Multinational division in Iraq: and

(B) any equipment, articles, materials, or related services which in the future may be provided or loaned to the Government of Nicaragua by the U. S. Government and funded by PKO funds.

The Embassy proposes that if the foregoing is acceptable to the Government of Nicaragua, this diplomatic note, together with the Ministry's reply shall 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 to the Ministry of Foreign Affairs the assurance of its highest consideration.

Embassy of the United States of America

Managua, August 26, 2003





MINISTERIO DE RELACIONES EXTERIORES

Managua, Nicaragua

El Ministerio de Relaciones Exteriores de la República de Nicaragua presenta sus saludos a la Embajada de los Estados Unidos de América en ocasión de hacer referencia a Nota Número 160 de esa Embajada de fecha 26 de agosto del año en curso, cuyo texto es el siguiente:

"No. 160.

La Embajada de los Estados Unidos de América presenta sus saludos al Ministerio de Relaciones Exteriores de la República de Nicaragua y tiene el honor de informar al Ministerio el préstamo de equipo (radios, vehículos, generadores y cualquier otro equipo) del Gobierno de los Estados Unidos y el suministro de cualquier otro apoyo logístico para la División Multinacional dirigida por Polonia en conjunto con los otros miembros en apoyo a la Operación de Mantenimiento de Paz en Irak. La Embajada además, quiere referirse al texto del Acuerdo firmado en Managua, el 23 de abril de 1954, así como a la Nota del Ministerio del 28 de junio de 1974, las cuales constituyen acuerdos entre los dos gobiernos con relación al destino final, traslado y garantías de seguridad para las concesiones de artículos de defensa, o relacionados con capacitación u otros servicios de defensa suministrados por el Gobierno de los Estados Unidos de América bajo la autoridad otorgada por la Ley de Asistencia Extranjera de 1961 (FAA), con sus enmiendas, o legislación posterior al Gobierno de Nicaragua. Con relación a esto, la Embajada propone que los términos y cláusulas del Acuerdo sean aplicados a:

- (A) los vehículos, radios, generadores, y cualquier otro equipo, apoyo logístico y servicios que sean prestados u otorgados en apoyo a la División Multinacional dirigida por Polonia en Irak y
- (B) cualquier equipo, artículo, materiales, o servicios relacionados los cuales en el futuro sean suministrados o prestados al Gobierno de Nicaragua por el Gobierno de los Estados Unidos y financiados por la Operación de Mantenimiento de Paz en Irak.

La Embajada propone al Ministerio que si lo anterior es aceptado por el Gobierno de Nicaragua, esta nota diplomática, en conjunto con la respuesta del Ministerio constituiría un acuerdo entre los dos Gobiernos y entraría en vigencia en la fecha de la respuesta del Ministerio.

La Embajada de los Estados Unidos de América aprovecha la oportunidad para renovar al Ministerio de Relaciones Exteriores de la República de Nicaragua las seguridades de su más alta consideración.

Embajada de los Estados Unidos de América,
Managua , 26 de agosto de 2003".

El MINISTERIO DE RELACIONES EXTERIORES expresa su conformidad con la propuesta comunicada en la Nota No. 160 de esa Embajada, y aprueba que la Nota enviada junto con la presente Nota constituyen un Acuerdo entre nuestros Gobiernos a partir de la fecha hoy.

EL MINISTERIO DE RELACIONES EXTERIORES hace propicia la ocasión para renovar a la Honorable Embajada de los Estados Unidos de América las muestras de su más alta consideración y estima.

Managua 04 de septiembre de 2003.

A LA HONORABLE EMBAJADA
DE LOS ESTADOS UNIDOS DE AMÉRICA
CIUDAD



**U.S. Department of State
Office of Language Services
Translating Division**

LS No. 10-2005-0177
ALK/ME
Spanish

**Republic of Nicaragua
Ministry of Foreign Affairs
Managua, Nicaragua**

The Ministry of Foreign Affairs of the Republic of Nicaragua presents its compliments to the Embassy of the United States of America and writes in regard to Embassy note No. 160 of August 26, 2004, which reads as follows:

Quote:

No. 160

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Nicaragua and has the honor to refer to the loan of U.S. Government equipment (vehicles, radios, generators, and any other equipment) and provision of logistic support services to Polish-led Multinational Division and its members in support of Peacekeeping Operations (PKO) in Iraq. Furthermore, the Embassy has the honor to refer to the text signed in Managua, April 23, 1954, as well as the Ministry's note of June 28, 1974, [...*] which constitute

Embassy of the United States of America,
Managua.

* [Translator's Note: The phrase "together with the Embassy's note of May 15, 1974," which appears here in the English-language dip note does not appear in the Nicaraguan dip note.]

agreements between the two governments regarding end-use, retransfer, and security assurances for grants of defense articles or related training or other defense services furnished by the Government of the United States of America under the authority of the Foreign Assistance Act (FAA) of 1961, as amended, or successor legislation, to the Government of Nicaragua (hereinafter the Agreement). In this regard, the Embassy proposes that the terms and conditions of the Agreement shall apply to:

- (A) the vehicles, radios, generators, and any other equipment and logistic support services which may be loaned or provided in support of the Polish-led Multinational division in Iraq; and
- (B) any equipment, articles, materials, or related services which in the future may be provided or loaned to the Government of Nicaragua by the U.S. Government and funded by PKO funds.

The Embassy proposes that if the foregoing is acceptable to the Government of Nicaragua, this diplomatic note, together with the Ministry's reply, shall 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 to the Ministry of Foreign Affairs the assurances of its highest consideration.

Embassy of the United States of America,

Managua, August 26, 2003

Unquote.

The Ministry of Foreign Affairs accepts the proposal communicated in U.S. Embassy Note No. 160 and concurs that the Embassy note, together with this note, constitute an agreement between our two governments, effective as of today.

[Complimentary close.]

Managua, September 4, 2003