

DEFENSE

Assistance

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

Effected by Exchange of Notes at
Sanaa June 5 and July 20, 1999

Entered into Force July 20, 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.”

No. 154

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Yemen and has the honor to refer to earlier discussions between representatives of the two governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislations, and the furnishing of defense articles, related training, and other defense services from the United States of America to the Government of the Republic of Yemen.

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

- A. That the Government of the Republic of Yemen shall not, unless the consent of the Government of the United States of America has been first obtained:
 - I. Permit any use of any such defense article or related training or other defense service by anyone not an officer, employee or agent of the Government of the Republic of Yemen;
 - II. Transfer or permit any officer, employee or agent of the Government of the Republic of Yemen to transfer such articles or related training or other defense services by gift, sale or otherwise;
or

Use or permit the use of such articles or related training or other defense services for purpose other than those for which provided;

B. That said articles or related training or defense services 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 the Republic of Yemen in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America.

D. That the Government of the Republic of Yemen shall maintain the security of such articles, related training, and other defense services; that it shall provide substantially the same degree of security protection afforded to such articles or related training or other defense services provided 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 the Republic of Yemen; and

- E. That the Government of the United States of America may also from time to time make the provision of other defense articles, related training and other defense services 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 the United States regulations applicable to such transfers.

The Ministry of Foreign Affairs written reply stating that the foregoing is acceptable to the Government of the Republic of Yemen shall, together with this note, constitute an agreement between the two governments, which shall enter into force on the date of the Ministry's reply.

The Embassy will provide an Arabic translation of this note, for the Ministry's background and reference. However, only the English language version shall be authoritative.

The written response from the Ministry of Foreign Affairs should state that the conditions set forth in the US note are acceptable and affirm that the exchange constitutes an agreement between the two governments. The Ministry's note of acceptable should include language along the following lines:

The Ministry of Foreign Affairs of the Government of the Republic of Yemen has the honor to confirm that the proposals set forth in the note from the Embassy of the United States of America are acceptable to the Government of the Republic of Yemen and that the Embassy's note and this note in reply shall constitute an agreement between the two governments which shall enter into force on this date.

The Embassy of the United States of America avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Republic of Yemen the assurances of its highest consideration.

Embassy of the United States of America
Sanaa, June 05, 1999.



*The Republic of Yemen
Foreign Ministry
Minister office*

20 July, 1999

The Foreign Ministry of the Republic of Yemen presents its compliments to the friendly US Embassy in Sana'a and has the honor to receive the Embassy's highly regarded note No. 154 dating 25/5/1999, which included the reference to the discussions that took place between representatives of the Republic of Yemen and the United States of America governments in the field of military training and other defense services, in particular the assistance related to demining.

Accordingly, the Foreign Ministry of the Republic of Yemen has the honor to confirm that the proposals set forth in the note from the Embassy of the United States of America No. 154 are acceptable to the Government of the Republic of Yemen, and the Ministry would like to confirm that the Embassy's note and the Ministry's note constitute an agreement between the two governments which enters into force on this date.

The Ministry avails itself of the opportunity to renew to the friendly Embassy its highest consideration.

To / the USA Embassy in Sana'a.



الرقم : ١٥٦ - ٢ - ١٩٥

التاريخ :

الموافق : ٢٠ - ١٩٩٩

تهدي وزارة خارجية الجمهورية اليمنية أطيب تحياتها إلى سفارة الولايات المتحدة الأمريكية الصديقة في صنعاء ..

ويسرها الإحاطة بتلقي مذكرة السفارة الموقرة برقم 154 وتاريخ 99/5/25م المتضمنة الإشارة إلى المباحثات التي تمت بين ممثلي حكومتي الجمهورية اليمنية والولايات المتحدة الأمريكية ، والمتعلقة بالمساعدات الممنوحة من حكومة الولايات المتحدة الأمريكية إلى الحكومة اليمنية في مجال التدريب العسكري وخدمات الدفاع الأخرى ، والخاصة منها بالمساعدات المتعلقة بإزالة الألغام .

وعليه فإن وزارة خارجية الجمهورية اليمنية يشرفها التأكيد بموافقة حكومة الجمهورية اليمنية على البنود الواردة في مذكرة سفارة الولايات المتحدة الأمريكية بصنعاء برقم 154 ، كما تود الوزارة التأكيد بأن مذكرة السفارة المشار إليها ورسالة الوزارة هذه تعتبران في حكم الاتفاق بين حكومتي البلدين ، والتي تدخل حيز التنفيذ اعتباراً من تاريخ هذه الرسالة .

تنتهز الوزارة هذه الفرصة لتعرب للسفارة الصديقة عن خالص تحياتها .



إلى / سفارة الولايات المتحدة الأمريكية بصنعاء .