

DEFENSE

Assistance

**Agreement Between the
UNITED STATES OF AMERICA
and the NORTH ATLANTIC
TREATY ORGANIZATION**

Exchange of Letters at Brussels
December 18, 1995

Entered into force December 18, 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 MISSION
TO THE
NORTH ATLANTIC TREATY ORGANIZATION
(USNATO)

18 December 1995

Mr. Herpert van Foreest
Assistant Secretary General
Infrastructure, Logistics and
Civil Emergency Planning Division
Nato Headquarters
Brussels

Dear *H. van Foreest* Mr. van Foreest:

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.

In accordance with these discussions, it is proposed: that NATO agree that representatives of France and the United Kingdom be authorized to receive such defense articles and defense services on behalf of NATO under such terms and conditions as may be agreed between representatives of these countries and representatives of the United States; and that the United States, and its officers, agents, employees, and contractors, shall not be liable for any claims arising out of the provision of such defense articles and defense services; provided that NATO shall not be liable for any claims in respect of loss or damage to such defense articles and defense services; and that any third party claims arising from their use shall be dealt with by NATO in accordance with its current procedures and guidelines.

If the foregoing is acceptable to NATO, the United States Mission has the further honor to propose that this letter, together with the NATO reply stating that the foregoing is acceptable, shall constitute an agreement between the United States and NATO on this subject, which shall enter into force upon the date of the reply of NATO.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Robert Pearson", is written over the typed name.

W. Robert Pearson
Deputy Permanent Representative



ORGANISATION DU TRAITÉ DE L'ATLANTIQUE NORD
NORTH ATLANTIC TREATY ORGANIZATION

1110 - BRUXELLES

18th December 1995
REF : ASG/ILCEP(95)383

ASSISTANT SECRETARY GENERAL
FOR INFRASTRUCTURE, LOGISTICS
AND CIVIL EMERGENCY PLANNING

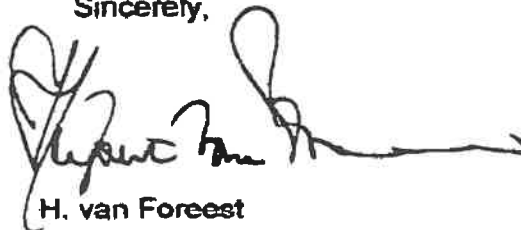
SECÉTAIRE GÉNÉRAL ADJOINT
POUR L'INFRASTRUCTURE, LA LOGISTIQUE
ET LES PLANS CIVILS D'URGENCE

(TEL. 728.44.34)

Dear Mr Pearson, dear Bob,

I have received the United States Mission's letter, dated 18th December, regarding the furnishing of the US-origin defence articles and defence services by the United Nations for purpose of supporting the NATO-led Implementation Force (IFOR) established pursuant to North Atlantic Council decision. NATO has the honour to inform the United States Mission that the proposal contained in that letter is acceptable, and to confirm that the United States Mission's letter together with this reply, shall constitute an agreement between the United States and NATO on this subject, which shall enter into force this date.

Sincerely,



H. van Foreest

Mr. W. Robert Pearson
Minister Counselor
United States Deputy Permanent Representative
US Mission to NATO
Room E.209
NATO HQ