

No. 51232*

**United States of America
and
Gambia**

Exchange of notes constituting an agreement between the United States of America and the Republic of the Gambia regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services from the United States Government to the Government of the Gambia and the provision of such items by the United States of America to the Government of the Gambia for the purposes of participation in peacekeeping operations in Liberia. Banjul, 14 August 2003 and 18 August 2003

Entry into force: *18 August 2003 by the exchange of the said notes, in accordance with their provisions*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *United States of America, 20 August 2013*

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**États-Unis d'Amérique
et
Gambie**

Échange de notes constituant un accord entre les États-Unis d'Amérique et la République de Gambie relatif à des dons en vertu de la Loi de 1961 sur l'aide étrangère, telle que modifiée, ou de toute autre loi qui la remplacerait, et à la fourniture de matériels de défense, de formation connexe et d'autres services de défense de la part des États-Unis d'Amérique au Gouvernement de la Gambie et la fourniture de ces éléments par le Gouvernement des États-Unis d'Amérique au Gouvernement de la Gambie aux fins de participation aux opérations de maintien de la paix au Libéria. Banjul, 14 août 2003 et 18 août 2003

Entrée en vigueur : *18 août 2003 par l'échange desdites notes, conformément à leurs dispositions*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : États-Unis d'Amérique, 20 août 2013

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[ENGLISH TEXT – TEXTE ANGLAIS]

I
EMBASSY OF THE
UNITED STATES OF AMERICA

No. 87/03

The Embassy of the United States of America presents its compliments to the Department of State for Foreign Affairs of the Republic of The Gambia 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 legislation, and the furnishing of defense articles, related training, and other defense services from the United States of America to the government of The Gambia and the provision of such items by the United States Government to the Government of The Gambia for purposes of participation in a peacekeeping operations (PKO) in Liberia under Economic Community of West African States (ECOWAS) or other ECOWAS PKO.

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

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

(I) Permit any use of such defense articles or related training including training materials or other defense service by anyone not an officer, employee or agent of the Government of The Gambia or of ECOWAS;

(II) Transfer or permit any officer, employee or agent of the Government of The Gambia to transfer such articles or related training including training materials or other defense services by gift, sale or otherwise except to ECOWAS, or

(III) Use or permit the use of such articles or related training including training materials or other defense services for purposes other than those for which provided;

B. That said articles or related training including training materials or defense services shall be returned to the Government of the United States of America or ECOWAS, if related to an ECOWAS peacekeeping mission, 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 Gambia 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 Gambia shall maintain the security of such articles, related training including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such articles or related training including training materials or defense services 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 Gambia.

E. That the Government of the United States of America may also from time to time make the provision of articles, services, and 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).