

No. 51906*

**United States of America
and
Turkey**

Agreement between the Government of the Republic of Turkey and the Government of the United States of America regarding cooperation to facilitate the provision of assistance for preventing the proliferation of weapons of mass destruction (with exchange of notes). Ankara, 14 June 2005

Entry into force: 9 June 2008, in accordance with section VII

Authentic texts: English and Turkish

Registration with the Secretariat of the United Nations: United States of America, 2 May 2014

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**États-Unis d'Amérique
et
Turquie**

Accord entre le Gouvernement de la République turque et le Gouvernement des États-Unis d'Amérique relatif à la coopération en vue de faciliter la prestation d'aide pour prévenir la prolifération d'armes de destruction massive (avec échange de notes). Ankara, 14 juin 2005

Entrée en vigueur : 9 juin 2008, conformément à la section VII

Textes authentiques : anglais et turc

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : États-Unis d'Amérique, 2 mai 2014

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF TURKEY AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
REGARDING COOPERATION TO FACILITATE THE PROVISION OF ASSISTANCE
FOR NONPROLIFERATION PURPOSES**

The Government of the Republic of Turkey (hereinafter referred to as "Turkey") and the Government of the United States of America (hereinafter referred to as "the United States"), collectively referred to as "the Parties":

Recognizing the interests of Turkey and the United States in cooperating to facilitate the provision of economic, technical and related assistance to prevent the proliferation of weapons of mass destruction (WMD) and missile delivery systems, and related dual-use commodities and technology and to control the transfers of such items to end-users and end uses of proliferation concern;

Recognizing that effective export control and border security systems are essential to control the spread of WMD, missile delivery systems, and related dual-use commodities and technology, and to control the transfers of such items to end-users and end uses of proliferation concern;

Noting that, in furtherance of such cooperation, the United States intends to provide assistance to Turkey, free of charge, which may take the form of services, database, software, training, or the provision of equipment, commodities, supplies and technology;

Have agreed as follows:

I. SCOPE OF COOPERATION

(a) The purpose of this Agreement is to strengthen cooperation between the Parties and to support Turkey's efforts to enhance its national export control system, law enforcement, and border security to prevent, deter, detect and interdict illicit trafficking in WMD, missile delivery systems, and related dual-use commodities and technology.

(b) For Turkey, the coordinating office for this Agreement shall be the Ministry of Foreign Affairs, General Directorate for International Security Affairs. For the United States, the coordinating office for this Agreement shall be the Department of State Bureau of Nonproliferation. Each Party may change its coordinating office upon written notice to the other Party.

(c) The Parties, or ministries or agencies of the Parties, may enter into implementing agreements or arrangements to accomplish the purposes of this Agreement in coordination with the respective coordinating offices. The terms of this Agreement shall apply to any assistance provided pursuant to such implementing agreements and arrangements and to all related activities and personnel.

(d) The amount and type of assistance to be provided by the United States under this Agreement (including the technical requirements for any materials or equipment) shall be determined by the United States with due regard to Turkey's needs and requirements.

(e) The Parties shall cooperate in determining what assistance is needed and shall facilitate the implementation of such assistance.

(f) For purposes of this Agreement, the term "weapons of mass destruction" shall mean nuclear weapons and other nuclear explosive devices, chemical weapons, biological weapons, and radiological weapons.

II. TAXES AND OTHER CHARGES

The services, database, software, training, equipment, commodities, supplies, and technology that are provided free of charge within the scope of this Agreement shall not be subject to the imposition of taxes (including value added tax, special consumption tax) or duties (including stamp duty) within the territory of the Republic of Turkey.

III. REVIEW OF USE OF ASSISTANCE

Upon reasonable request, representatives of the United States will be permitted to monitor the use of any assistance provided under this Agreement, at sites of its location or use during the period of this Agreement. The coordinating offices shall consult in order to determine the context, conditions and modalities of such monitoring.

IV. USE OF ASSISTANCE

Turkey shall use all services, database, software, training, equipment, commodities, supplies and technology provided under this Agreement solely for the purposes specified in this Agreement or for such purposes as may otherwise be mutually agreed to in writing in advance by the Parties.

V. NON-TRANSFER, NON-DISCLOSURE

(a) Information obtained from either Party as a result of the technical assessment and implementation, and any other technical information or technology, of the assistance provided under this Agreement shall not be disclosed to a third party without the prior written consent of the other Party.

(b) Unless the written consent of the United States has been first obtained, Turkey shall not transfer title to, or possession of, any services, training, equipment, commodities, supplies and technology provided by the United States pursuant to this Agreement, to anyone not an officer, employee, or agent of Turkey, and agrees to take reasonable steps to maintain the security of such items.

(c) The limitation of transfer of title and possession of articles, components and associated support material, related training or other services (including plans, specifications, or information), or technology shall remain in effect for the duration of this Agreement. When this Agreement is terminated, the coordinating offices for the Parties shall consult regarding the disposition of such equipment, commodity, supply or technology. If the United States requests that such equipment, commodity, supply, or technology be returned, Turkey shall return the items, provided that the United States agrees to pay the relevant expenses for such return.

VI. DISPUTE RESOLUTION

Any disputes arising out of the interpretation or implementation of this Agreement shall be resolved through consultations between the Parties.

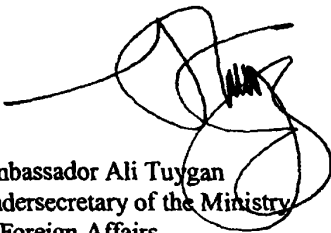
VII. ENTRY INTO FORCE

This Agreement shall enter into force on the date of the last written notification that the Parties have fulfilled the national procedures required for its entry into force. It shall remain in force for three years and shall be automatically prolonged for periods of one year, unless terminated by either Party upon giving six months written notice to the other.

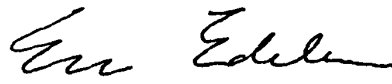
Done at Ankara, in duplicate, in Turkish and English languages, both texts being equally authentic, this 14th day of June, 2005.

FOR THE GOVERNMENT OF
THE REPUBLIC OF TURKEY

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA



Ambassador Ali Tuygan
Undersecretary of the Ministry
of Foreign Affairs



Ambassador Eric Edelman

No. 132

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The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Turkey and acknowledges receipt of the Ministry's Note no.2005/USGY/525829, dated December 14, 2005, concerning a proposed change to the title of the "Agreement Between the Government of the Republic of Turkey and the Government of the United States of America Regarding Cooperation to Facilitate the Provision of Assistance for Non-Proliferation Purposes" signed in Ankara on June 14, 2005.

The Embassy is pleased to inform the Ministry that the United States concurs with the Ministry's proposal to effect this change by the replacement of the first page of each text of the Agreement with a revised page reflecting the new title. However, the Embassy's proposal for the new English-language title is slightly different than that proposed in the Ministry's Note and would read as follows:

In English:

"Agreement Between the Government of the Republic of Turkey and the Government of the United States of America Regarding Cooperation to Facilitate the Provision of Assistance for Preventing the Proliferation of Weapons of Mass Destruction"

and in Turkish:

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