

No. 137

UNITED STATES OF AMERICA
and
LIBERIA

Agreement relating to defence areas within the Republic of Liberia. Signed at Monrovia, on 31 March 1942

English official text communicated by the Secretary-General of the United States Mission to the United Nations. The filing and recording took place on 6 January 1949.

ETATS-UNIS D'AMERIQUE
et
LIBERIA

Accord concernant des zones de défense situées sur le territoire de la République de Libéria. Signé à Monrovia, le 31 mars 1942

Texte officiel anglais communiqué par le Secrétaire général de la Mission des Etats-Unis auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 6 janvier 1949.

No. 137. AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND OF LIBERIA RELATING TO DEFENCE AREAS WITHIN THE REPUBLIC OF LIBERIA. SIGNED AT MONROVIA, ON 31 MARCH 1942

WHEREAS:

The situation of Liberia is made critical by the existing war and there is danger of attack or aggression by unfriendly powers; and

2. additional protection is necessary in order that the independence and security of the Republic may be safeguarded; and

3. the Government of Liberia has requested that the Government of the United States because of its traditional friendly interest in the welfare of Liberia, give such aid as may be possible in the circumstances in the defense of the Republic; and

4. the Government of Liberia has granted the Government of the United States in this emergency the right to construct, control, operate and defend at the sole cost and expense of the latter and without charge to the Republic of Liberia, such military and commercial airports in the Republic as in consultation with the Government of the Republic of Liberia may mutually be considered necessary; and the right also to assist in the protection and defense of any part of the Republic which might be liable to attack during the present war, said grant to include the right to construct access roads from Monrovia to the airport at Roberts Field on the Farmington River and the seaplane facilities at Fisherman Lake in the County of Grand Cape Mount; and

5. the above mentioned rights have been granted as of February 14, 1942 to become effective from that date and to remain in effect for the duration of the existing war and for a period not to exceed six months thereafter;

THEREFORE:

the undersigned to wit:

HARRY A. McBRIDE, Special Representative of the President of the United States of America, acting on behalf of the Government of the United States; and

¹ Came into force on 31 March 1942, by signature.

CLARENCE L. SIMPSON, Secretary of State of the Republic of Liberia,
acting on behalf of the Government of Liberia,

Have agreed as follows:

Article 1

The grants of rights specified above shall also include the right to improve and deepen channels, to construct connecting roads, communication services, fortifications, repair and storage facilities and housing for personnel, and generally the right to do any and all things necessary to insure the efficient operation, maintenance and protection of such defense facilities as may be established.

Article 2

The Republic of Liberia retains sovereignty over all such airports, fortifications and other defense areas as may be established under the rights above granted. The Government of the United States during the life of this Agreement shall have exclusive jurisdiction over any such airports and defense areas in Liberia and over the military and civilian personnel of the Government of the United States and their families within the airports, fortifications and other defense areas, as well as over all other persons within such areas except Liberian citizens.

It is understood, however, that the Government of the United States may turn over to the Liberian authorities for trial and punishment any person committing an offense in such defense areas. And the Liberian authorities will turn over to the United States authorities for trial and punishment any of the United States military or civilian personnel and their families who may commit offenses outside such defense areas. The Liberian authorities and the United States authorities will take adequate measures to insure the prosecution and punishment in cases of conviction of all such offenders, it being understood that the relevant evidence shall be furnished reciprocally to the two authorities.

Article 3

It is agreed that the Government of the United States shall have the right to establish and maintain postal facilities and commissary stores to be used solely by the military and civilian personnel of the United States Government and their families stationed in Liberia in connection with this Agreement and with such aid in the defense of Liberia as the Government of the United States may furnish.

Article 4

All materials, supplies and equipment for the construction, use and operation of said airports of the United States Government and for the personal needs of the military and civilian personnel and their families, shall be permitted entry into Liberia free of customs duties, excise taxes, or any other charges, and the said personnel and their families shall also be exempt from all forms of taxes, assessments and other levies by the Liberian Government and authorities, including exemption from Liberian regulations pertaining to passports, visas and residence permits.

The Government of the United States undertakes to respect all legitimate interests of Liberia and of Liberian citizens, as well as all the laws, regulations and customs relating to the native population and the internal administration of Liberia. In exercising the rights derived from this Agreement, the Government of the United States undertakes to give sympathetic consideration to all representations made by the Liberian authorities with respect to the welfare of the inhabitants of Liberia.

In respect of the commercial use of such airports, passengers, mail and cargo entering or leaving Liberia by air shall have transit over such airports to and from a Liberian customs station established adjacent to said airports and under the exclusive jurisdiction of the Government of Liberia.

Article 5

The Government of the United States undertakes to extend to the Government of Liberia such aid as may be possible in the circumstances in the protection of the Republic, including necessary equipment for road construction, certain monetary aids for defense purposes, certain assistance in the organization and training of the Liberian military forces and certain other assistance of a similar nature.

Article 6

The Government of the United States undertakes, at the end of the war and the additional period provided in Paragraph 5 of the Preamble to this Agreement, to withdraw all military forces of the United States. It is mutually understood and agreed that the jurisdiction hereby conferred on the Government of the United States over any airports and defense areas, and over military and civilian personnel under the provisions of Article 2 of this Agreement, shall continue until all matters calling for judicial determination, but undisposed of

after the termination of this Agreement, shall have been disposed of by the United States authorities, or, alternately, until the withdrawal of the United States forces shall be complete.

Article 7

The Government of Liberia and the Government of the United States agree that at this time the above Agreement shall apply to the air facilities at Roberts Field on the Farmington River, and at Fisherman Lake in the County of Grand Cape Mount. If other defense areas of this kind are deemed necessary in the future, their location will be fixed by mutual agreement.

Article 8

For the purposes of this Agreement, a Defense Area shall be construed as the actual areas of said airports and such additional areas in the immediate neighborhood upon which installations necessary for defense may be established by agreement between the United States Commanding Officer and the Liberian Government.

SIGNED, at Monrovia, Liberia, in duplicate, the texts having equal force, this 31st day of March, 1942.

[SEAL]

HARRY A. McBRIDE
Special Representative of the President
of the United States of America

[SEAL]

C. L. SIMPSON
Secretary of State of the Republic of Liberia
