

No. 2384

---

**UNITED STATES OF AMERICA  
and  
LUXEMBOURG**

**Exchange of notes constituting an agreement relating to  
mutual security. Luxembourg, 8 January 1952**

*Official texts: English and French.*

*Registered by the United States of America on 28 November 1953.*

---

**ÉTATS-UNIS D'AMÉRIQUE  
et  
LUXEMBOURG**

**Échange de notes constituant un accord relatif à la sécurité  
mutuelle. Luxembourg, 8 janvier 1952**

*Textes officiels anglais et français.*

*Enregistré par les États-Unis d'Amérique le 28 novembre 1953.*

No. 2384. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND LUXEMBOURG RELATING TO MUTUAL SECURITY. LUXEMBOURG, 8 JANUARY 1952

I

*The American Minister to the Luxembourg Minister of Foreign Affairs*

AMERICAN LEGATION

No. 33

Luxembourg, January 8, 1952

Excellency :

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the Economic Cooperation Agreement between the United States of America and Luxembourg signed at Luxembourg on July 3, 1948, as heretofore amended, to the Mutual Defense Assistance Agreement between our two Governments, signed at Washington, D.C., on January 27, 1950,<sup>2</sup> and to the enactment by the Congress of the United States of the Mutual Security Act of 1951, Public Law 165, 82nd Congress.<sup>4</sup> I also have the honor to confirm the understandings reached as a result of these conversations, as follows :

The Government of Luxembourg has expressed its adherence to the purposes and policies of the Economic Cooperation Act of 1948 as heretofore amended,<sup>5</sup> including the statement of purpose contained in Section 2 of the Mutual Security Act of 1951, which recognizes the primary importance of strengthening the mutual security and individual and collective defenses of the free world, developing their resources in the interest of the security and independence and national interest of friendly countries and facilitating the effective participation of those countries in the United Nations system for collective security.

Whenever reference is made in any of the articles of such Economic Cooperation Agreement to the Economic Cooperation Act of 1948, or of such Mutual Defense Assistance Agreement to the Mutual Defense Assistance Act of 1949, as amended,<sup>6</sup> such

<sup>1</sup> Came into force on 8 January 1952 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 24, p. 35; Vol. 55, p. 324; Vol. 79, p. 306, and Vol. 137, p. 280.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 80, p. 187.

<sup>4</sup> United States of America : 65 Stat. 373.

<sup>5</sup> United States of America : 62 Stat. 137; 22 U. S. C. § 1501 *et seq.*

<sup>6</sup> United States of America : 63 Stat. 714; 22 U. S. C. §§ 1571-1604.

reference shall be construed as meaning the Economic Cooperation Act of 1948, or the Mutual Defense Assistance Act of 1949, respectively, as heretofore amended.

1. The Government of the United States wishes to confirm its understanding that the Government of Luxembourg has by reason of earlier international acts and undertakings committed itself to

- a.* Join in promoting international understanding and good will, and maintaining world peace;
- b.* Take such action as may be mutually agreed upon to eliminate causes of international tension;
- c.* Fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party;
- d.* Make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic conditions to the development and maintenance of its own defensive strength and the defensive strength of the free world;
- e.* Take all reasonable measures which may be needed to develop its defense capacities; and
- f.* Take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

2. The two Governments will establish procedures under which equipment and materials furnished by the Government of the United States under the Mutual Defense Assistance Act of 1949, as amended, or by either Government under the Mutual Defense Assistance Agreement of 1950, other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available will be offered for return to the Government which furnished such assistance for appropriate disposition.

3. Sums allocated to the use of the Government of the United States of America pursuant to paragraph 4 of Article IV of the Economic Cooperation Agreement may be used by the Government of the United States of America for its expenditures in any area.

4. Paragraph 6 of Article IV of the Economic Cooperation Agreement shall include expenditures for military production, construction, equipment and materiel. It shall also include expenditures for the encouragement of emigration from participating countries having permanent surplus manpower to areas, particularly the undeveloped and dependent areas, where such manpower can be effectively utilized.

5. In lieu of the date referred to in paragraph 7 of Article IV of the Economic Cooperation Agreement, the amount of unencumbered balances referred to in that paragraph shall be determined as of the date of the termination of the assistance program under this Agreement.

6. The two Governments will establish procedures whereby the Government of Luxembourg will so deposit, segregate, or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States so that such funds shall not be subject to garnishment, attachment, seizure or other

legal process by any person, firm, agency, corporation, organization or government, unless the Government of the United States certifies that such legal process would not interfere with the attainment of the objectives of the program of assistance.

Upon receipt of a Note from your Government indicating that the foregoing provisions are acceptable to the Luxembourg Government, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject which shall enter into force on the date of your Note in reply.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Perle MESTA

His Excellency Joseph Bech  
Minister of Foreign Affairs for the  
Grand Duchy of Luxembourg

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

*The Luxembourg Minister of Foreign Affairs to the American Minister*

MINISTRY OF FOREIGN AFFAIRS

Luxembourg, January 8, 1952

Madam,

I have the honor to acknowledge the receipt of the note which Your Excellency was so good as to address to me today, the tenor of which is the following :

[See note I]

The Luxembourg Government declares itself to be in accord with Your Excellency's note, and it considers that note, together with this reply, as constituting an agreement concluded between the two Governments with respect to the matter.

I avail myself of this occasion, Madam, to renew to Your Excellency the assurances of my high consideration.

BECH

Her Excellency Perle Mesta  
Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America  
Luxembourg

---

<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.