

No. 2408

**UNITED STATES OF AMERICA
and
FRANCE**

**Exchange of notes constituting an agreement relating to
assurances under the Mutual Security Act of 1951.
Paris, 5 January 1952**

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Official texts: English and French.

Registered by the United States of America on 1 December 1953.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

**Échange de notes constituant un accord relatif aux garanties
prévues par la loi de sécurité mutuelle de 1951. Paris,
5 janvier 1952**

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 1^{er} décembre 1953.

No. 2408. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND FRANCE RELATING TO ASSURANCES UNDER THE MUTUAL SECURITY ACT OF 1951. PARIS, 5 JANUARY 1952

I

The American Ambassador to the French Minister of Foreign Affairs

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA
AMERICAN EMBASSY

Paris, January 5, 1952

No. 809

My dear Mr. President :

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 France and the United States of America signed at Paris on June 28, 1948, as heretofore amended,² to the Mutual Defense Assistance Agreement between our two Governments, signed at Washington on January 27, 1950,³ to the Agreement for Mutual Defense Assistance in Indochina, signed at Saigon on December 23, 1950,⁴ and to the enactment by the Congress of the United States of the Mutual Security Act of 1951, Public Law 165, 82nd Congress.⁵ I also have the honor to confirm the understandings reached as a result of these conversations, as follows :

The Government of France has expressed its adherence to the purposes and policies of the Economic Cooperation Act of 1948 as heretofore amended,⁶ 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.

¹ Came into force on 5 January 1952 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 19, p. 9 ; Vol. 34, pp. 418 and 421 ; Vol. 79, p. 270 ; Vol. 141, p. 358, and Vol. 174, p. 284.

³ United Nations, *Treaty Series*, Vol. 80, p. 171.

⁴ Not printed by the Department of State of the United States of America.

⁵ United States of America : 65 Stat. 373.

⁶ United States of America : 62 Stat. 137 ; 22 U.S.C. §1501 *et seq.*

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,¹ such 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 of America wishes to confirm its understanding that the French Government has, in conformity with the provisions of the Economic Cooperation Agreement of June 28, 1948, the North Atlantic Treaty of April 4, 1949,² and the Mutual Defense Assistance Agreement of January 27, 1950, 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 Agreements of January 27, 1950, or December 23, 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 outside of France in accordance with understandings to be reached between the two Governments.

4. Paragraph 6 of Article IV of the Economic Cooperation Agreement shall include expenditures for military production, construction, equipment, and material. 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.

¹ United States of America : 63 Stat. 714 ; 22 U.S.C. §§ 1571—1604.

² United Nations, *Treaty Series*, Vol. 34, p. 243, and Vol. 126, p. 350.

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, each within its own competence, will establish practicable procedures whereby there will be so deposited or segregated, or whereby title will be assured 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, when the Government of France is advised by the Government of the United States that any such legal process would 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 French 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.

Please accept, my dear Mr. President, the assurances of my highest consideration.

David BRUCE

His Excellency Monsieur Robert Schuman
Minister of Foreign Affairs
Paris

II

[TRANSLATION¹ — TRADUCTION²]

The French Minister of Foreign Affairs to the American Ambassador

LIBERTY—EQUALITY—FRATERNITY

FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

Paris, January 5, 1952

Mr. Ambassador,

By letter of today's date you were so good as to draw my attention to certain amendments to the Economic Cooperation Act of 1948 and the Mutual Defense Act of 1949.

I have the honor to advise you that the French Government takes cognizance of the changes made in the United States Legislation by the Mutual Security

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

Act of 1951, Public Law 165, 82d Congress. It has no objection, in the execution of the Economic Cooperation Agreement of June 28, 1948, the bilateral Agreement relating to aid for Mutual Defense of January 27, 1950, and the Agreement relating to aid for Mutual Defense in Indochina of December 23, 1950, to putting into effect immediately the new provisions set forth in your aforementioned communication.

I also have the honor to confirm to you that the French Government has given its agreement to paragraph 1 of your letter relating to the commitments that it has made in conformity with the provisions of the Economic Cooperation Agreement of June 28, 1948, the North Atlantic Treaty of April 4, 1949, and the Mutual Defense Agreement of January 27, 1950.

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

SCHUMAN

His Excellency David K. Bruce
Ambassador of the United States
Paris
