

No. 2439

**UNITED STATES OF AMERICA
and
NEPAL**

**Point Four General Agreement for technical co-operation.
Signed at New Delhi, on 23 January 1951**

**Exchange of notes constituting an agreement amending the
above-mentioned Agreement. New Delhi, 2 and 8 Jan-
uary 1952**

Official texts: English.

Registered by the United States of America on 19 January 1954.

**ÉTATS-UNIS D'AMÉRIQUE
et
NÉPAL**

**Accord général relatif à la coopération technique dans le
cadre du Point quatre. Signé à New-Delhi, le 23 jan-
vier 1951**

**Échange de notes constituant un accord modifiant l'Accord
susmentionné. New-Delhi, 2 et 8 janvier 1952**

Textes officiels anglais.

Enregistrés par les États-Unis d'Amérique le 19 janvier 1954.

No. 2439. POINT FOUR GENERAL AGREEMENT¹ FOR TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NEPAL. SIGNED AT NEW DELHI, ON 23 JANUARY 1951

The Government of the United States of America and the Government of Nepal

Have agreed as follows:

Article I

ASSISTANCE AND COOPERATION

1. The Government of the United States of America and the Government of Nepal undertake to cooperate with each other in the interchange of technical knowledge and skills and in related activities designed to contribute to the balanced and integrated development of the economic resources and productive capacities of Nepal. Particular technical cooperation programs and projects will be carried out pursuant to the provisions of such separate written agreements or understandings as may later be reached by the duly designated representatives of Nepal and the Technical Cooperation Administration of the United States of America, or by other persons, agencies, or organizations designated by the governments.

2. The Government of Nepal through its duly designated representatives in cooperation with representatives of the Technical Cooperation Administration of the United States of America and representatives of appropriate international organizations will endeavor to coordinate and integrate all technical cooperation programs being carried on in Nepal.

3. The Government of Nepal will cooperate in the mutual exchange of technical knowledge and skills with other countries participating in technical cooperation programs associated with that carried on under this Agreement.

¹ Came into force on 23 January 1951, as from the date of signature, in accordance with article V (1).

4. The Government of Nepal will endeavor to make effective use of the results of technical projects carried on in Nepal in cooperation with the United States of America.

5. The two governments will, upon the request of either of them, consult with regard to any matter relating to the application of this Agreement to project agreements heretofore or hereafter concluded between them, or to operations or arrangements carried out pursuant to such agreements.

Article II

INFORMATION AND PUBLICITY

1. The Government of Nepal will communicate to the Government of the United States of America in a form and at intervals to be mutually agreed upon :

- a) Information concerning projects, programs, measures and operations carried on under this Agreement, including a statement of the use of funds, materials, equipment and services provided thereunder;
- b) Information regarding technical assistance which has been or is being requested of other countries or of international organizations.

2. Not less frequently than once a year, the Governments of Nepal and of the United States of America will in mutual consultation make public in their respective countries periodic reports on the technical cooperation programs carried on pursuant to this Agreement. Such reports shall include information as to the use of funds, materials, equipment and services.

3. The Governments of the United States of America and Nepal will endeavor in mutual consultation to give full publicity to the objectives and progress of the technical cooperation program carried on under this Agreement.

Article III

PROGRAM AND PROJECT AGREEMENTS

1. The program and project agreements referred to in article I, paragraph 1 above will include provisions relating to policies, administrative procedures, the disbursement of and accounting for funds, the contribution of each party to the cost of the program or project, and the furnishing of detailed information of the character set forth in article II, paragraph 1 above.

2. With respect to any funds, materials and equipment introduced into Nepal by the Government of the United States of America pursuant to such program and project agreements, the Government of the United States of America shall not be liable for taxes, service charges, and investment or deposit requirements, and will be exempt from exchange restrictions.

3. The Government of Nepal agrees to bear a fair share, as may be mutually agreed upon, of the cost of technical assistance programs and projects.

Article IV

PERSONNEL

1. All employees of the Government of the United States of America assigned to duties in Nepal in connection with cooperative technical assistance programs and projects and accompanying members of their families shall be exempt from Nepalese income-taxes with respect to (1) salaries and emoluments paid to them by the Government of the United States of America, and (2) any non-Nepalese income upon which they are obligated to pay income or social security taxes to the Government of the United States of America.

2. Such employees and members of their families shall receive exemption with respect to the payment of customs and import duties on personal, household and professional effects and supplies including one personal automobile, on their certifying to the Foreign Department, Government of Nepal, that these effects and supplies are for the personal use and consumption of such employees and members of their families. Duty is liable to be paid in respect of any such article imported without payment of duty and sold or disposed of within three years, but there shall be no liability if such articles are re-exported within the period.

Article V

ENTRY INTO FORCE, AMENDMENT, DURATION

1. This Agreement shall enter into force on the day on which it is signed. It shall remain in force until three months after either government shall have given notice in writing to the other of intention to terminate the Agreement.

2. If, during the life of this Agreement, either government should consider that there should be an amendment thereof, it shall so notify the other

government in writing and the two governments will thereupon consult with a view to agreeing upon the amendment.

3. Subsidiary project and other agreements and arrangements which may be concluded may remain in force beyond any termination of this Agreement, in accordance with such arrangements as the two governments may make.

4. This Agreement is complementary to and does not supersede existing agreements between the two governments except insofar as other agreements are inconsistent herewith.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present agreement.

DONE at New Delhi, in duplicate, this twenty-third day of January, 1951.

For the Government of the United States of America :

[SEAL]

Loy W. HENDERSON

Minister of the United States of America to Nepal

For the Government of Nepal :

[SEAL]

SHINGHA

Commanding General Shingha Shum Shere Jung Bahadur
Rana

Ambassador of Nepal in India

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE GOVERNMENT OF THE UNITED
STATES OF AMERICA AND THE GOVERNMENT OF
NEPAL AMENDING THE POINT FOUR GENERAL
AGREEMENT OF 23 JANUARY 1951² FOR TECHNICAL
CO-OPERATION. NEW DELHI, 2 AND 8 JANUARY 1952

I

The American Ambassador to the Nepalese Ambassador to India

The Ambassador of the United States of America presents his compliments to His Excellency, the Nepalese Ambassador in India, and has the honor to refer to the Point Four General Agreement for Technical Cooperation between the United States of America and Nepal of January 23, 1951,² and to inform the Nepalese Ambassador in India that the technical cooperation provided to Nepal by the United States of America is now governed by provisions contained in the Mutual Security Act of 1951 which was passed by the Congress of the United States and came into effect on October 10, 1951.³ This Act contains new conditions for the eligibility of countries receiving economic and technical assistance which can be met by inserting a preamble in the Point Four General Agreement stating that both Governments agree with the general objectives of the Mutual Security Act.

It is therefore requested that the Government of Nepal give its assent to an amendment of the Point Four General Agreement for Technical Cooperation between the United States of America and Nepal. This amendment consists of the addition of three paragraphs which will constitute the preamble of the Agreement. The text of the Agreement will otherwise remain unchanged. The amended Agreement will read as follows :

“ POINT FOUR GENERAL AGREEMENT FOR TECHNICAL COOPERATION
BETWEEN THE UNITED STATES OF AMERICA AND NEPAL

“ Considering that the peoples of the United States and of Nepal have a common interest in economic and social progress and that their cooperative efforts to exchange technical knowledge and skills will assist in achieving that objective, and

¹ Came into force on 8 January 1952 by the exchange of the said notes.

² See p. 66 of this volume.

³ United States of America : 65 Stat. 373.

“ Considering that the interchange of technical knowledge and skills will strengthen the mutual security of both peoples and develop their resources in the interest of maintaining their security and independence, and

“ Considering that the Government of the United States of America and the Government of Nepal agree to join in promoting international understanding and good will and in maintaining world peace, and to undertake such action as they may mutually agree upon to eliminate causes for international tension,

“ The Government of the United States of America and the Government of Nepal

“ Have agreed as follows :

“ *Article I*

“ ASSISTANCE AND COOPERATION

“ The Government of the United States . . . ”

Upon receipt of a note from His Excellency, the Nepalese Ambassador in India, indicating the assent of the Government of Nepal to the insertion of the proposed preamble in the Point Four General Agreement between the two countries, the Agreement will be deemed to be so amended as of January 8, 1952.

L. V. S.

American Embassy

New Delhi, January 2, 1952

II

The Nepalese Ambassador to India to the American Ambassador

The Ambassador of Nepal presents his compliments to His Excellency, the Ambassador of the United States of America in India, and has the honour to acknowledge the receipt of his note dated January 2, 1952, which stated :

[*See note I*]

The Ambassador of Nepal in India has the honour to inform the Ambassador of the United States of America in India that the Government of Nepal assents to the amendment of the Point Four General Agreement for Technical Cooperation between the United States of America and Nepal as described in the note quoted above. Furthermore, the Agreement is deemed to be so amended as of January 8, 1952.

BIJAYA SHAMSHER
[SEAL]

Nepalese Embassy

New Delhi, January 8, 1952