

No. 2689

**UNITED STATES OF AMERICA
and
DOMINICAN REPUBLIC**

**Military Assistance Agreement. Signed at Washington, on
6 March 1953**

Official texts: English and Spanish.

Registered by the United States of America on 6 October 1954.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DOMINICAINE**

**Accord d'assistance militaire. Signé à Washington, le 6 mars
1953**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 6 octobre 1954.

No. 2689. MILITARY ASSISTANCE AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE DOMINICAN REPUBLIC. SIGNED AT WASHINGTON, ON 6 MARCH 1953

The Governments of the United States of America and the Dominican Republic :

In accordance with the commitments which they made in the Inter-American Treaty of Reciprocal Assistance² and in other international instruments to assist any American State that is the victim of an armed attack and to act jointly in the common defense and in the maintenance of the peace and security of the American Continent ;

Desiring to promote peace and security within the framework of the Charter of the United Nations through measures that will increase the ability of nations dedicated to fulfilling the aims and principles of the Charter to participate effectively in agreements for self-defense, both individual and collective, in support of those aims and principles ;

Reaffirming their determination to cooperate fully in the collective security efforts of the United Nations in accordance with the Charter and with international efforts to reach an understanding on the universal regulation and reduction of armaments with adequate guarantees against violation ;

Taking into consideration the support which the Government of the United States of America has given to those principles through the enactment of the Mutual Defense Assistance Act of 1949, as amended,³ and the Mutual Security Act of 1951, as amended,⁴ which provide for the furnishing of military assistance to nations which have joined that Government in collective security arrangements ;

Desiring to set forth the conditions that will govern the furnishing of such mutual assistance ;

Have agreed as follows :

Article I

1. Each Government will provide or continue to provide the other, as well as such other governments as both Contracting Parties may in each case agree

¹ Came into force on 10 June 1953, by notification given to the Government of the United States of America of the ratification of this Agreement by the Government of the Dominican Republic, in accordance with article XI.

² United Nations, *Treaty Series*, Vol. 21, p. 77 ; Vol. 26, p. 417, and Vol. 82, p. 330.

³ United States of America : 63 Stat. 714 ; 22 U.S.C. § 1571 *et seq.*

⁴ United States of America : 65 Stat. 373 ; 22 U.S.C. § 1651 *et seq.*

upon, with the equipment, materials, services, or other military assistance which the Governments providing such assistance authorize in accordance with their respective Constitutions and with such terms and conditions as may be agreed upon under this Agreement. The furnishing of the assistance authorized by either of the Parties to this Agreement shall be consistent with the Charter of the United Nations. Such assistance shall be so provided as to promote the defense of the Hemisphere and shall be in accordance with regional defense plans which may be agreed upon by the two Parties, by virtue of which they will participate, according to their respective constitutional procedures, in missions important to the defense of the Western Hemisphere within the region defined in Article 4 of the Inter-American Treaty of Reciprocal Assistance. The assistance given by the Government of the United States of America under this Agreement shall be furnished in conformity with the provisions and subject to all the terms and conditions of the Mutual Defense Assistance Act of 1949, the Mutual Security Act of 1951, of the United States of America, as well as other acts amendatory or supplementary thereto, and appropriation acts thereunder. From time to time the two Governments will negotiate detailed arrangements for carrying out the provisions of this paragraph.

2. The Government of the Dominican Republic undertakes to make effective use, pursuant to the terms of this Agreement, of the assistance received from the Government of the United States of America, in order to put into effect such regional defense plans as may be accepted by the two Governments, according to which they will participate, in conformity with their respective constitutional procedures, in missions important to the defense and maintenance of the peace of the Western Hemisphere, and, unless otherwise agreed between the Parties, they will devote such assistance exclusively to the purposes specified in paragraph 1 of this Article.

3. Arrangements shall be entered into by virtue of which equipment and materials supplied under this Agreement and no longer needed for the purposes for which it was originally made available (except equipment and materials supplied under terms requiring reimbursement) will be returned to the Government that furnished the assistance, for appropriate disposition.

4. In the common security interest of both nations, the Government of the Dominican Republic undertakes not to transfer title to or possession of any equipment, materials, or services furnished to it by the Government of the United States of America under this Agreement.

5. Funds or materials of any nature allocated to or derived from any assistance program undertaken by the Government of the United States of America pursuant to the laws cited in this Agreement, shall not be subject to garnishment, attachment, seizure, or any other judicial or administrative procedure instituted by any person, firm, agency, corporation, organization, or government.

6. Each Government will take such measures as may be agreed in each case to prevent the disclosure or compromise of classified military articles, services, or information furnished by the other Government pursuant to this Agreement.

Article II

Each Government will take appropriate steps, consistent with its security, to keep the public informed of the measures adopted under this Agreement.

Article III

The two Governments will, at the request of either of them, negotiate appropriate arrangements between them to make available patent licenses and technical information required to accomplish the purposes of this Agreement. In such negotiations consideration shall be given to the inclusion of obligations under which each of the two Governments will assume responsibility for any claims of its nationals arising from such arrangements, as well as claims presented within its jurisdiction by nationals of any country not a party to this Agreement.

Article IV

1. Subject to the necessary appropriations of funds under the Constitution and laws of the Dominican Republic, the Government of the Dominican Republic undertakes to make available to the Government of the United States of America certain sums in Dominican national currency for the use of the Government of the United States of America for its administrative and operating expenses in connection with carrying out this Agreement in the Dominican Republic. The two Governments will enter into negotiations to determine the amount of such sums in Dominican national currency, as well as the manner in which they will be supplied.

2. Unless otherwise agreed, the Government of the Dominican Republic will grant duty free treatment and exemption from internal taxation upon importation or exportation to products, property, materials, or equipment imported into its territory in connection with this Agreement or similar agreements between the United States of America and any other country receiving military assistance.

Article V

1. Each of the Contracting Governments agrees to receive personnel of the other Government who will discharge duties entrusted to them by that other Government in connection with the implementation of this Agreement. Such

personnel shall be granted reasonable facilities to observe the progress of assistance furnished pursuant to this Agreement. The said personnel shall function as part of the Embassy under the direction of the Chief of the Diplomatic Mission of the sending country, and shall enjoy the same immunities and privileges as are accorded to Embassy personnel of corresponding rank.

2. With a view to carrying out the provisions of the preceding paragraph, the two Governments will by common accord issue regulations governing the classification of such personnel, which shall consist exclusively of nationals of the sending country. The two Governments agree that the number of such personnel will be kept as small as possible.

At the request of the Chief of the Diplomatic Mission of the country represented, the Government of the Dominican Republic will grant exemption from customs duties on articles imported for the use of the members of such personnel and their families. Privileges and courtesies incidental to their diplomatic status, such as automobile license plates, the inclusion of their names on the "Diplomatic List", and social courtesies, may be waived by the sending Government in the case of its personnel other than the senior military member and the Senior Army, Navy and Air Force Officer and their respective immediate deputies.

3. If it is necessary to send Dominican personnel to the United States of America in connection with military assistance by the Dominican Republic to the United States of America, the Government of the United States of America, at the request of the Chief of the Dominican Diplomatic Mission, will grant exemption from customs duties on articles imported for the private use of such personnel and members of their families.

Article VI

Existing agreements on missions of the armed forces of the United States of America in the Dominican Republic shall not be affected by this Agreement and shall remain in full force.

Article VII

In conformity with the principles on which reciprocal assistance is based, according to which the two Governments have agreed, in the manner stipulated in Article I, to furnish assistance to each other, the two Governments hereby reaffirm Resolutions XII, XIII, XIV and XVI of the Final Act of the Fourth Meeting of Consultation of Foreign Ministers of the American Republics, held at Washington in 1951, these being decisions adopted unanimously by the American States for the purpose of cooperating technically and financially to increase the production of basic materials and to furnish each other the materials, products, and services required for their common defense. In arrangements for the furnishing by the Dominican Republic of materials, products, and services required by the

United States, account shall be taken of the requirements for domestic consumption, the character and needs of the Dominican national economy, and its commercial exports.

Article VIII

In the interest of their mutual security, the two Governments will take measures, by means of mutual agreements, to control trade with nations that threaten the security of the Continent.

Article IX

Both Governments reaffirm their determination to join their efforts in the task of promoting international understanding and good will and of maintaining world peace, to proceed, as may be mutually agreed, to eliminate causes of international tension, and to fulfill the military obligations assumed under multilateral or bilateral agreements and treaties to which they are both Parties. The Government of the Dominican Republic will make the full contribution permitted by its manpower and economic condition to the development and maintenance of its defensive strength and that of the free world, and will take all reasonable measures as may be needed to develop its defense capacities.

Article X

Considering that this Agreement has been negotiated and concluded on the basis that the Government of the United States of America will extend to the other Contracting Party the benefits of any provision of a Military Assistance Agreement concluded by the Government of the United States of America with any other American Republic, it is understood that the Government of the United States of America will raise no objection to amending this Agreement to the end that its provisions may conform in whole or in part to the corresponding provisions of any similar Military Assistance Agreement, or agreements amendatory thereto, concluded with any other American Republic.

Article XI

1. This Agreement shall enter into force on the date of receipt by the Government of the United States of America of a notification in writing from the Government of the Dominican Republic of ratification of the Agreement in conformity with the constitutional procedures of the Dominican Republic, and shall continue in force until one year after either one of the Parties receives from the other written notice of its intention to terminate it. In any case, notwithstanding a declaration of intention to terminate this Agreement, the provisions of paragraphs 2, 3, 4, 5 and 6 of Article I shall continue in force until the Parties agree

to the contrary. The arrangements referred to in Article III shall terminate in accordance with the stipulations set forth in the said arrangements.

2. The two Governments, at the request of either of them, will consult on any matter concerning the application or amendment of this Agreement.

This Agreement shall be registered with the Secretary General of the United Nations.

DONE at Washington in duplicate in the English and Spanish languages, both equally authentic, on the sixth day of March 1953.

For the Government of the United States of America :

John Foster DULLES

For the Government of the Dominican Republic :

Rafael L. TRUJILLO
