

No. 2908

**UNITED STATES OF AMERICA
and
AFGHANISTAN**

**Program Agreement for technical co-operation. Signed at
Kabul, on 30 June 1953**

Official text: English.

Registered by the United States of America on 12 September 1955.

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

**Accord relatif à un programme de coopération technique.
Signé à Caboul, le 30 juin 1953**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 12 septembre 1955.

No. 2908. PROGRAM AGREEMENT¹ FOR TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE ROYAL AFGHAN GOVERNMENT. SIGNED AT KABUL, ON 30 JUNE 1953

The Royal Afghan Government and the Government of the United States of America

Having entered into a General Agreement for Technical Cooperation, signed on behalf of the two Governments at Kabul on the 7th day of February, 1951,² and amended by exchange of notes on the 2nd and 24th days of January, 1952,³ which makes provision for the execution of supplementary agreements for specific programs and projects to be carried on jointly by the two Governments; and

Desiring to set forth the conditions which will govern the furnishing of technical assistance for all those joint projects now in operation or hereafter to be instituted;

Have agreed as follows;

Article I

THE OPERATING AGENCIES

1. The obligations assumed herein by the Government of the United States of America will be performed by it through the Technical Cooperation Administration, an agency of the Government of the United States of America. (All references to the Technical Cooperation Administration herein or in the General Agreement for Technical Cooperation referred to above shall be understood to include any successor agency of the Government of the United States of America in which the present functions of the Technical Cooperation Administration may hereafter be vested.) The Technical Cooperation Administration will secure the assistance of other agencies of the Government of the United States of America and of other public and private agencies in discharging its obligations under this Agreement. Every technician or specialist made available to the Royal Afghan Government under this Agreement shall perform his services under the provisions thereof and of the General Agreement for Technical Cooperation referred to above.

¹ Came into force on 30 June 1953, in accordance with article IX.

² United Nations, *Treaty Series*, Vol. 132, p. 265.

³ United Nations, *Treaty Series*, Vol. 177, p. 346.

2. On behalf of the Royal Afghan Government, general planning and coordination of the joint activities authorized by this Agreement shall be the responsibility of the Royal Afghan Ministry of National Economy in cooperation with the Technical Cooperation Administration. Specific programs and projects shall be the responsibility of the Ministry or Department of the Royal Afghan Government within whose field of responsibility the activity lies, or, in the case of the Helmand Valley development, the High Authority for the Development of the Helmand Valley, also known as the Helmand Valley Authority, in cooperation with the Technical Cooperation Administration.

Article II

OBJECTIVES

The objectives of this cooperative program, in accordance with the requests to be made from time to time by the Royal Afghan Government, shall be :

1. To facilitate the development of the economy of Afghanistan through cooperative action on the part of the two Governments ;
2. To stimulate and increase the interchange between the two countries of knowledge, skills and techniques in fields related to the economic and technical development of Afghanistan ;
3. To promote and strengthen understanding and good will between the peoples of Afghanistan and the United States of America, and to foster the growth of democratic ways of life.

Article III

FIELDS OF ACTIVITY

This cooperative program will include, to the extent agreed upon from time to time pursuant to Article I above, operations of the following types :

1. Studies of the needs of Afghanistan in the field of economic and technical development and the resources available to meet these needs ;
2. The formulation and continuous adaptation of a program to help meet such needs ;
3. The initiation and administration of projects in agricultural development ; public health and sanitation ; education, particularly vocational education and the training of teachers ; transportation ; development of natural resources ; industrial development ; the integrated development of the Helmand Valley ; and such other fields of activity as are related to the economic development of

Afghanistan and are among the authorized activities of the Technical Cooperation Administration ;

4. Related training activities, both within and outside of Afghanistan.

Article IV

PERSONNEL OF THE TECHNICAL COOPERATION ADMINISTRATION

Without prejudice to further agreement which may modify the privileges and immunities accorded hereby, it is agreed that pending such further agreement all personnel furnished by the Government of the United States of America, whether employed directly by it or under contract with a public or private organization, who are assigned to duties in Afghanistan under this cooperative program shall be accorded the privileges and immunities set forth in Section 22 of the "Convention On The Privileges and Immunities Of the United Nations," as adopted by the General Assembly of the United Nations on the 13th day of February, 1946,¹ and acceded to by the Royal Afghan Government.

Article V

JOINT CONTRIBUTIONS

The parties shall contribute and make available, to the extent provided below, funds for use in carrying out the program during the period covered by this Agreement, in accordance with the following schedules :

1. The Government of the United States of America, except as may be otherwise provided in particular project agreements, will pay the salaries and other expenses of the specialists and technicians made available by it to the Royal Afghan Government under this Agreement, as well as such other expenses of an administrative nature as the Government of the United States of America may incur in connection with activities under this Agreement.

2. In addition, the Government of the United States of America will contribute for each fiscal year beginning with the year ending the 30th day of June, 1953, an amount to be agreed upon by the two Governments for use in effectuating the program covered by this Agreement.

3. In addition, the Government of the United States of America, within the limits of the funds available for this purpose, will provide training awards for Afghan personnel agreed upon by the Royal Afghan Government and the Director of Technical Cooperation, to pay the costs of training outside of Afghanistan, including international travel necessary for such training.

¹ United Nations, *Treaty Series*, Vol. 1, pp. 15 and 263; Vol. 4, p. 461; Vol. 5, p. 413; Vol. 6, p. 433; Vol. 7, p. 353; Vol. 9, p. 398; Vol. 11, p. 406; Vol. 12, p. 416; Vol. 14, p. 490; Vol. 15, p. 442; Vol. 18, p. 382; Vol. 26, p. 396; Vol. 42, p. 354; Vol. 43, p. 335; Vol. 45, p. 318; Vol. 66, p. 346; Vol. 70, p. 266; Vol. 173, p. 369; Vol. 177, p. 324; Vol. 180, p. 296; Vol. 202, p. 320, and Vol. 214.

4. The Royal Afghan Government will make available from its appropriate annual budget allocations sufficient funds to defray all local currency costs of agreed projects ; such sums in the aggregate will be at least equal in value to the dollars made available for such projects by the United States of America.

5. The contribution of each Government under Paragraphs 2 and 4 will be stipulated in annual supplements to be entered into by the two Governments.

6. All materials, equipment and supplies acquired for any project carried on under this Agreement may be used for the purposes of that project or of any other project carried on hereunder. Any such materials, equipment and supplies remaining at the termination of any such project and not needed for the purposes of any other project hereunder shall be at the disposition of the Government of Afghanistan.

Article VI

PROJECT OPERATIONS

1. The cooperative program herein provided for shall consist of a series of projects, each of which shall be embodied in a written project agreement signed by the Director of Technical Cooperation and by the Minister, or the President of the Department, of the Royal Afghan Government within whose field of responsibility the activity lies, or, in the case of the Helmand Valley development, by the General President of the Helmand Valley development, by the General President of the Helmand Valley Authority. Each such project agreement shall define the work to be done, shall make financial provision for all the costs of the project other than the salaries and expenses of the persons to be made available for the project by the Technical Cooperation Administration, and may contain such other matters as the parties may desire to include.

2. Upon substantial completion of any project, a Project Report shall be drawn up and signed by the parties to the project agreement, which shall provide a record of the work done, the objectives sought to be achieved, the expenditures made, the problems encountered and solved, and related basic data. Similar reports shall be submitted to the two Governments at appropriate intervals in the course of each project, but not less frequently than annually in the case of any project that may continue in operation for more than one year.

3. Specialists, technicians, and others in any field of activity related to the economic and technical development of Afghanistan may be sent for training to the United States of America or elsewhere, as an activity to be carried on under the provisions of this Agreement and as part of the training program of the Technical Cooperation Administration. The selection of the persons to be sent for such training, as well as the training activities in which they shall participate, shall

be determined jointly by the Minister, or the President of the Department, within whose field of responsibility the activity lies, or, in the case of the Helmand Valley development, the Helmand Valley Authority, and the Director of Technical Cooperation.

Article VII

SOVEREIGN IMMUNITY

The parties declare their recognition that the Technical Cooperation Administration, being an agency of the Government of the United States of America, is entitled to share fully in all the privileges and immunities, including immunity from suit in the courts of Afghanistan, which are enjoyed by the Government of the United States of America. The two Governments will establish procedures whereby the Royal Afghan Government will so deposit, segregate or assure title to all funds allocated to or derived from this program that the same shall not be subject to garnishment, attachment, seizure, or other legal process by any person, firm, agency, corporation, organization, or government when the Royal Afghan Government is advised by the Government of the United States of America that such legal process would interfere with the attainment of the objectives of the program.

Article VIII

LEGISLATIVE AND EXECUTIVE ACTION

The Royal Afghan Government will endeavor to obtain the enactment of such legislation and will take such executive action as may be required to carry out the terms of this Agreement.

Article IX

ENTRY INTO FORCE AND DURATION

This Agreement may be referred to as the "Technical Cooperation Program Agreement." It shall enter into force on the date stated in the last paragraph of this Agreement and shall remain in force through December 31, 1960, or until three months after either Government shall have given notice in writing to the other of intention to terminate it, whichever is earlier; provided, however, that the obligations of the parties under this Agreement for the period from June 30, 1953, through December 31, 1960, shall be subject to the availability of appropriations to both parties for the purposes of the program and to the further agreement of the parties pursuant to Article V, Paragraph 5, hereof.

DONE in duplicate at Kabul this 30th day of June, 1953.

For the Royal Afghan Government :

Minister of Foreign Affairs
S. AHMAD

Minister of National Economy
M. H. HASSEINI

For the Government of the
United States of America :

Angus WARD

Ambassador of the
United States of America

William J. HAYES

Director of Technical
Cooperation in Afghanistan
Technical Cooperation
Administration