

No. 2736

**PAKISTAN
and
UNITED STATES OF AMERICA**

**Mutual Defence Assistance Agreement. Signed at Karachi,
on 19 May 1954**

Official text: English.

Registered by Pakistan on 19 January 1955.

**PAKISTAN
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord relatif à l'aide pour la défense mutuelle. Signé à
Karachi, le 19 mai 1954**

Texte officiel anglais.

Enregistré par le Pakistan le 19 janvier 1955.

No. 2736. MUTUAL DEFENCE ASSISTANCE AGREEMENT¹
BETWEEN THE GOVERNMENT OF PAKISTAN AND
THE GOVERNMENT OF THE UNITED STATES OF
AMERICA. SIGNED AT KARACHI, ON 19 MAY 1954

The Government of Pakistan and the Government of the United States of America,

Desiring to foster international peace and security within the framework of the Charter of the United Nations through measures which will further the ability of nations dedicated to the purposes and principles of the Charter to participate effectively in arrangements for individual and collective self-defence in support of those purposes and principles;

Reaffirming their determination to give their full co-operation to the efforts to provide the United Nations with armed forces as contemplated by the Charter and to participate in United Nations collective defence arrangements and measures, and to obtain agreement on universal regulation and reduction of armaments under adequate guarantee against violation or evasion;

Taking into consideration the support which the Government of the United States has brought to these principles by enacting the Mutual Defence Assistance Act of 1949, as amended, and the Mutual Security Act of 1951, as amended;

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

Have agreed :

Article I

1. The Government of the United States will make available to the Government of Pakistan such equipment, materials, services or other assistance as the Government of the United States may authorize in accordance with such terms and conditions as may be agreed. The furnishing and use of such assistance shall be consistent with the Charter of the United Nations. Such assistance as may be made available by the Government of the United States pursuant to this Agreement will be furnished under the provisions and subject to all the terms, conditions and termination provisions of the Mutual Defence Assistance Act of 1949 and the Mutual Security Act of 1951, acts amendatory or supplementary

¹ Came into force on 19 May 1954, as from the date of signature, in accordance with article VII (1).

thereto, appropriation acts thereunder, or any other applicable legislative provisions. The two Governments will, from time to time, negotiate detailed arrangements necessary to carry out the provisions of this paragraph.

2. The Government of Pakistan will use this assistance exclusively to maintain its internal security, its legitimate self-defence, or to permit it to participate in the defence of the area, or in United Nations collective security arrangements and measures, and Pakistan will not undertake any act of aggression against any other nation. The Government of Pakistan will not, without the prior agreement of the Government of the United States, devote such assistance to purposes other than those for which it was furnished.

3. Arrangements will be entered into under which equipment and materials furnished pursuant to this Agreement and no longer required or used exclusively for the purposes for which originally made available will be offered for return to the Government of the United States.

4. The Government of Pakistan will not transfer to any person not an officer or agent of that Government, or to any other nation, title to or possession of any equipment, materials, property, information, or services received under this Agreement, without the prior consent of the Government of the United States.

5. The Government of Pakistan will take such security measures as may be agreed in each case between the two Governments in order to prevent the disclosure or compromise of classified military articles, services or information furnished pursuant to this Agreement.

6. Each Government will take appropriate measures consistent with security to keep the public informed of operations under this Agreement.

7. The two Governments will establish procedures whereby the Government of Pakistan will so deposit, segregate or assure title to all funds allocated to or derived from any programme of assistance undertaken by the Government of the United States so that such funds shall not, except as may otherwise be mutually agreed, be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organisation or government.

Article II

The two Governments will, upon request of either of them, negotiate appropriate arrangements between them relating to the exchange of patent rights

and technical information for defence which will expedite such exchanges and at the same time protect private interests and maintain necessary security safeguards.

Article III

1. The Government of Pakistan will make available to the Government of the United States rupees for the use of the latter Government for its administrative and operating expenditures in connection with carrying out the purposes of this Agreement. The two Governments will forthwith initiate discussions with a view to determining the amount of such rupees and to agreeing upon arrangements for the furnishing of such funds.

2. The Government of Pakistan will, except as may otherwise be mutually agreed, grant duty-free treatment on importation or exportation and exemption from internal taxation upon products, property, materials or equipment imported into its territory in connection with this Agreement or any similar Agreement between the Government of the United States and the Government of any other country receiving military assistance.

3. Tax relief will be accorded to all expenditures in Pakistan by, or on behalf of, the Government of the United States for the common defence effort, including expenditures for any foreign aid programme of the United States. The Government of Pakistan will establish procedures satisfactory to both Governments so that such expenditures will be net of taxes.

Article IV

1. The Government of Pakistan will receive personnel of the Government of the United States who will discharge in its territory the responsibilities of the Government of the United States under this Agreement and who will be accorded facilities and authority to observe the progress of the assistance furnished pursuant to this Agreement. Such personnel who are United States nationals, including personnel temporarily assigned, will, in their relations with the Government of Pakistan, operate as part of the Embassy of the United States of America under the direction and control of the Chief of the Diplomatic Mission, and will have the same privileges and immunities as are accorded other personnel with corresponding rank of the Embassy of the United States who are United States nationals. Upon appropriate notification by the Government of the United States the Government of Pakistan will grant full diplomatic status to the senior military member assigned under this article and the senior Army, Navy and Air Force officers and their respective immediate deputies.

2. The Government of Pakistan will grant exemption from import and export duties on personal property imported for the personal use of such personnel or of their families and will take reasonable administrative measures to facilitate and expedite the importation and exportation of the personal property of such personnel and their families.

Article V

1. The Government of Pakistan will :

- (a) join in promoting international understanding and goodwill, and maintaining world peace;
- (b) take such action as may be mutually agreed upon to eliminate causes of international tension;
- (c) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;
- (d) take all reasonable measures which may be needed to develop its defence capacities; and
- (e) take appropriate steps to insure the effective utilisation of the economic and military assistance provided by the United States.

2. (a) The Government of Pakistan will, consistent with the Charter of the United Nations, furnish to the Government of the United States, or to such other governments as the Parties hereto may in each case agree upon, such equipment, materials, services or other assistance as may be agreed upon in order to increase their capacity for individual and collective self-defence and to facilitate their effective participation in the United Nations system for collective security.

(b) In conformity with the principle of mutual aid, the Government of Pakistan will facilitate the production and transfer to the Government of the United States, for such period of time, in such quantities and upon such terms and conditions as may be agreed upon, of raw and semi-processed materials required by the United States as a result of deficiencies or potential deficiencies in its own resources, and which may be available in Pakistan. Arrangements for such transfers shall give due regard to reasonable requirements of Pakistan for domestic use and commercial export.

Article VI

In the interest of their mutual security the Government of Pakistan will co-operate with the Government of the United States in taking measures designed to control trade with nations which threaten the maintenance of world peace.

Article VII

1. This Agreement shall enter into force on the date of signature and will continue in force until one year after the receipt by either party of written notice of the intention of the other party to terminate it, except that the provisions

of article I, paragraphs 2 and 4, and arrangements entered into under article I, paragraphs 3, 5 and 7, and under article II, shall remain in force unless otherwise agreed by the two Governments.

2. The two Governments will, upon the request of either of them, consult regarding any matter relating to the application or amendment of this Agreement.

3. This Agreement shall be registered with the Secretariat of the United Nations.

DONE in two copies at Karachi the 19th day of May one thousand nine hundred and fifty-four.

For the Government of Pakistan :

(Signed) Zafrulla KHAN

Minister of Foreign Affairs and Commonwealth Relations

For the Government of the United States of America :

(Signed) John K. EMMERSON

Chargé d'Affaires a.i., of the United States of America
