

No. 4949

**UNITED STATES OF AMERICA
and
DENMARK**

Exchange of notes constituting an agreement relating to a mutually-financed shipbuilding program for the Danish Navy. Copenhagen, 8 May 1959

Official text: English.

Registered by the United States of America on 27 October 1959.

**ÉTATS-UNIS D'AMÉRIQUE
et
DANEMARK**

Échange de notes constituant un accord relatif à un programme de construction navale pour la marine militaire danoise. Copenhague, 8 mai 1959

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 27 octobre 1959.

No. 4949. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND DENMARK RELATING TO A MUTUALLY-FINANCED SHIPBUILDING PROGRAM FOR THE DANISH NAVY. COPENHAGEN, 8 MAY 1959

I

The American Ambassador to the Danish Minister of Foreign Affairs

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA
EMBASSY OF THE UNITED STATES OF AMERICA

No. 345

Copenhagen, May 8, 1959

Excellency :

I have the honor to refer to recent discussions and correspondence between representatives of our two Governments regarding a mutually-financed shipbuilding program for the Danish Navy to be carried out in accordance with the principles and conditions set forth in the Mutual Defense Assistance Agreement² between our two Governments, and to confirm the following understandings reached on this subject :

1. The program provides for the construction in Denmark of naval vessels in numbers and of types specified in a supplementary memorandum between representatives of our two Governments. Construction of vessels under this program is to be completed by or before December 31, 1964.

2. The purpose of this shipbuilding program is to assist in the modernization of the Danish Navy, and thereby enable the Government of Denmark to make a more effective contribution to the collective military power of NATO.³ In this connection, the Government of Denmark undertakes to retire non-effective naval vessels as early as practicable. The types and retirement dates of such vessels are specified in supplementary memoranda between representatives of our two Governments.

¹ Came into force on 8 May 1959 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 48, p. 115.

³ North Atlantic Treaty Organization.

3. The total costs of the construction program, estimated at \$ 42.3 million, will be shared equally by the Governments of Denmark and of the United States of America ; however, after June 30, 1959, the obligation of the Government of the United States of America to pay its share of the unfinanced remainder of the program would be subject to the availability of funds. The plan for its funding and the time phasing for delivery of the programmed vessels are specified in supplementary memoranda between representatives of our two Governments.

4. The Government of Denmark undertakes to ensure that the funding of this program will be in addition to and not in substitution for the amounts which would be allocated for the construction, operation, maintenance and training of the Danish defense forces in the absence of such program, and that the vessels included in the construction program will be effectively utilized and manned and will not be placed in an inactive status, except during normal overhaul periods.

5. In carrying out this shipbuilding program our two Governments, acting through their appropriate contracting officers, will enter into supplementary arrangements covering the specific vessels involved. These arrangements will set forth the amounts of the contributions to be made by the Governments of Denmark and of the United States of America for each vessel, the time phasing for delivery of the programmed vessels, and other appropriate details.

6. Any installed electronic, ordnance, or engineering items of equipment which become available through the retirement of non-effective vessels and which will be serviceable and effective for a reasonable period of time, if utilized in construction of vessels in this program, will not be charged to the construction program costs. This applies to items of equipment previously provided through the Military Assistance Program or by the Government of Denmark. Such items will be utilized only when equipment of significantly greater performance is not available.

I have the honor to propose that, if the foregoing is acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Val PETERSON

His Excellency Jens Otto Krag
Minister of Foreign Affairs
Copenhagen

II

*The Danish Minister of Foreign Affairs to the American Ambassador*UDENRIGSMINISTERIET¹

P.J.V. j.nr. 107.D.1.d.

Copenhagen, May 8, 1959

Excellency :

I have the honour to refer to your Note of to-day's date reading as follows :

[See note I]

In reply thereto I have the honour to inform you that the Danish Government is in agreement with the foregoing proposal and that your note and this reply shall be regarded as constituting an agreement between our two Governments in this matter with effect from the date of this Note.

Accept, Excellency, the renewed assurances of my highest consideration.

J. O. KRAG

His Excellency Mr. Val Peterson
Ambassador of the United States of America
Copenhagen

¹ Ministry for Foreign Affairs.