

No. 5114

**UNITED STATES OF AMERICA
and
IRAQ**

**Exchange of notes constituting an agreement terminating
the Military and Economic Assistance Agreements of
21 April 1954, 25 July 1955, and 18 and 22 May 1957.
Baghdad, 30 May and 7 July 1959**

Official texts: English and Arabic.

Registered by the United States of America on 29 April 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
IRAK**

**Échange de notes constituant un accord mettant fin aux
Accords d'assistance militaire du 21 avril 1954 et du
25 juillet 1955 et à l'Accord d'aide économique des
18 et 22 mai 1957. Bagdad, 30 mai et 7 juillet 1959**

Textes officiels anglais et arabe.

Enregistré par les États-Unis d'Amérique le 29 avril 1960.

No. 5114. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND IRAQ TERMINATING THE MILITARY AND ECONOMIC ASSISTANCE AGREEMENTS OF 21 APRIL 1954,² 25 JULY 1955,³ AND 18 AND 22 MAY 1957.⁴ BAGHDAD, 30 MAY AND 7 JULY 1959

• الاكيدة في تنفيذ اوضاع الصداقة بين الحكومتين على اساس من التفاهم والاطمئنان المتبادل
 • وبموجبها من العمل في حيل تدعيم السلم العالمي بما يتفق ومبادئ ميثاق الامم المتحدة
 • وبطريق منظمة الامم المتحدة نفسها • فانظمة الامم المتحدة والاتحاد السوفياتي
 • المتحدة بما تأخذ من تفاهم حقيقي لتغير ظروف العراق وما يستتبعه ذلك من العلاقات المذكورة
 • من اجراء تعديل وتطوير في علاقاته الدولية في ارب وقت ممكن • ان انها • الاطلاقات المذكورة
 • بحيل ولا فلك تحقيق سياسته الخارجية التي تهدف الى بناء علاقات العراق على اساس صهيبة
 • وتبوتة من الشعب العراقي •
 • تعجز الوزارة هذه الوزارة للاعتراف من فائق وقد يرهبها واحسنها



سفارة الولايات المتحدة الأمريكية

بغداد

¹ Came into force on 21 July 1959, the date on which the United States note in reply to the Iraqi note was delivered to the Government of Iran, in accordance with the provisions of the United States note.

² United Nations, *Treaty Series*, Vol. 222, p. 251.

³ United Nations, *Treaty Series*, Vol. 265, p. 393.

⁴ United Nations, *Treaty Series*, Vol. 284, p. 13.

[TRANSLATION¹ — TRADUCTION²]REPUBLIC OF IRAQ
MINISTRY OF FOREIGN AFFAIRS
Special Office

No. Kh/1828/1828/500

Baghdad, May 30, 1959

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America at Baghdad and has the honor to state that the esteemed Embassy is undoubtedly aware of the fact that the Revolution of July 14, 1958, has brought about a substantial change in Iraq's internal existence. The principal aspect of that change is the transformation of the system of government into that of a republic. This system is a true expression of the will of the Iraqi people and of their desire to pursue a policy of positive neutrality and of cooperation between their Government and all other governments in order to preserve peace and to disseminate a feeling of security throughout the world, in accordance with the principles of the United Nations Charter.

The Government of the United States of America has surely noted during the past ten months Iraq's true determination and continuous efforts to stay out of international rivalries, blocs, and the like. It has also noted, on the one hand, the efforts of the Iraqi Government to liquidate the relationships which bound Iraq in the past and which cannot ensure a situation that reflects a neutral policy and the establishment of its foreign relations on the basis of this policy, and, on the other hand, the desire of the Iraqi Government to promote new international relationships based on mutual understanding and mutual benefit in accordance with the interests of the Iraqi people.

The Government of the Republic of Iraq has, therefore, found that certain previous agreements, such as the Military Assistance Agreement between the Government of the United States of America and the previous Government of Iraq dated April 21, 1954;³ the Special Agreement relating to the disposition of the equipment and supplies furnished by the Government of the United States dated July 25, 1955,⁴ arising from the first agreement; and the Economic Assistance Agreement of July 23,⁵ 1957, between the American and Iraqi Governments are no longer in harmony with the realities of Iraq after the Revolution of July 14, 1958, because of the "change of circumstances" and in view of the necessity of working to implement a positive neutral policy which Iraq has followed in building up her foreign relations since that day, a matter which no doubt will meet with the approval of the Government of the United States of America.

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

³ United Nations, *Treaty Series*, Vol. 222, p. 251.

⁴ United Nations, *Treaty Series*, Vol. 265, p. 393.

⁵ According to the information provided by the United States of America this date should read 22 May; for the text of this Agreement, see United Nations, *Treaty Series*, Vol. 284, p. 13.

The Ministry of Foreign Affairs is therefore informing the Embassy of the United States of America of its decision to terminate the above-mentioned agreements as of this date, expressing at the same time its definite desire to strengthen the bonds of friendship between the two countries on the basis of mutual understanding and benefit, and emphasizing its determination to work for the consolidation of world peace in a manner compatible with the principles of the United Nations Charter, and through the United Nations itself. The Government of Iraq is confident that the Government of the United States possesses a true understanding of the changed conditions in Iraq and of the changes and developments in Iraq's international relations that will as a result have to take place as soon as possible. The termination of the said agreements will undoubtedly make it easier for Iraq to carry out its foreign policy, which aims at building up its relations on a solid basis acceptable to the people of Iraq.

The Ministry avails itself of this opportunity to express the assurance of its highest consideration and esteem.

(Initialled) [illegible]
[SEAL]

Embassy of the United States of America
Baghdad

II

The American Embassy to the Iraqi Ministry of Foreign Affairs

No. 32

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to acknowledge receipt of the Ministry's Note KH 1828/1828/500 of May 30, 1959.

The Government of the United States has taken note of the policy set forth by the Government of Iraq of cooperation with all the governments of the world in order to preserve peace, and of its support for the principles of the United Nations Charter. The Government of the United States fully reciprocates the stated desire of the Government of Iraq for the growth of friendship between our two Governments on the basis of understanding and mutual benefit. The Government of the United States regrets that it cannot concur in the cancellation of the agreements mentioned in the Foreign Ministry's Note under reference on the basis therein described : however, in the interest of the understanding and mutual benefit upon which it is desirable that the relations between the Government of Iraq and the Government of the United States be based, the Government of the United States is willing to accede to the expressed desire of the Government of Iraq that the agreements which are the subject of the Note under reference be terminated.

Therefore, subject to the understandings set forth below, the Government of the United States considers the following listed agreements, which it believes to be those described in the Ministry's Note under reference, to be mutually terminated as of the date this Note is delivered :

1. The agreement effected by an exchange of Notes signed at Baghdad on April 23,¹ 1954, which concerns grant military assistance;
2. The agreement effected by an exchange of Notes signed at Baghdad, July 25, 1955, which concerns procedures for disposition of military equipment and materials no longer required or used exclusively for the purpose for which furnished;
3. The agreement effected by an exchange of Notes signed at Baghdad on May 18 and 22, 1957, which concerns the furnishing of economic assistance for the implementation of certain agreed economic projects.

In connection with the first of the agreements cited above, the Government of the United States refers to certain provisions contained therein on the basis of which military equipment, materials and services were furnished to Iraq and the continued application of which shall be understood. First, as currently provided in numbered paragraph one of that agreement, equipment, materials or services furnished under the agreement will be used by the Government of Iraq solely to maintain its internal security and legitimate self defense. Second, as currently provided in numbered paragraph four of the agreement, the Government of Iraq, will not, without the prior consent of the Government of the United States, transfer title to, or possession of such equipment, materials or services furnished under the agreement, and will protect the security of any items, information or services furnished. Finally, as currently provided in numbered paragraph five (c) of the agreement, the Government of Iraq will offer for return to the Government of the United States, under mutually satisfactory procedures, any equipment or materials furnished under the agreement which are no longer required, or used, exclusively for maintenance of Iraq internal security and legitimate self-defense.

It is understood that, with respect to equipment delivered to the Government of Iraq pursuant to the third of the agreements cited above, the terms and conditions applicable to the use and disposition of such equipment will continue to be applicable.

The Embassy avails itself of this opportunity to renew the assurances of its highest consideration.

J. D. J.

Embassy of the United States of America
Baghdad, July 7, 1959

¹ According to the information provided by the United States of America this date should read 21 April.