

No. 6381

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**UNITED STATES OF AMERICA  
and  
LIBYA**

**Exchange of notes (with related letter) constituting an agreement terminating the Joint Service Program Agreements of 28 July 1955 for education, public health, natural resources, and agriculture. Tripoli, 11 December 1960**

*Official texts: English and Arabic.*

*Registered by the United States of America on 28 November 1962.*

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

**Échange de notes (avec lettre connexe) constituant un accord abrogeant les Accords du 28 juillet 1955 relatifs à des programmes de Services mixtes en matière d'enseignement, de santé publique, de ressources naturelles et d'agriculture. Tripoli, 11 décembre 1960**

*Textes officiels anglais et arabe.*

*Enregistré par les États-Unis d'Amérique le 28 novembre 1962.*

No. 6381. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND LIBYA TERMINATING THE JOINT SERVICE PROGRAM AGREEMENTS OF 28 JULY 1955 FOR EDUCATION,<sup>2</sup> PUBLIC HEALTH,<sup>3</sup> NATURAL RESOURCES,<sup>4</sup> AND AGRICULTURE.<sup>5</sup> TRIPOLI, 11 DECEMBER 1960

ورد سعادتك عليها بالقبول ، اتفاقية بين حكومتنا ، تكسون

نافذة المعمول اجساراً من ٢٤ نوفمبر ١٩٦٠ .

وتفضلوا سعادتك بقبول شمسور احترامنا الفائق ...

  
(محمد الفادر العلام)

وزير الخارجية

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حضرة صاحب السعادة ، جون ويزلي جونس

سفير الولايات المتحدة الأمريكية الموقرة بلبيسا

طرابلس

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<sup>1</sup> Came into force on 11 December 1960 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 270, p. 245.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 270, p. 269.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 270, p. 293.

<sup>5</sup> United Nations, *Treaty Series*, Vol. 270, p. 317.

[TRANSLATION — TRADUCTION]

UNITED KINGDOM OF LIBYA  
MINISTRY OF FOREIGN AFFAIRS

Tripoli, 11 December 1960

Excellency,

[See note II]

Accept, etc.

Abd Al QAADIR AL ALLAAM

II

*The American Ambassador to the Libyan Minister of Foreign Affairs*

Tripoli, December 11, 1960

Excellency :

I have the honor to inform Your Excellency that I have received your note of today's date, the text of which translated is as follows :

"I have the honor to refer to Your Excellency's note<sup>1</sup> referring to the resolution of the Council of Ministers adopted on November 9, 1960, and to discussions between representatives of our two Governments concerning the termination of the Joint Service Program Agreements for Education,<sup>2</sup> Public Health,<sup>3</sup> Natural Resources<sup>4</sup> and Agriculture,<sup>5</sup> respectively, between the Government of the United Kingdom of Libya and the Government of the United States of America, signed at Tripoli, July 28, 1955.

"In accordance with these discussions I now have the honor to propose the following :

"1. Each of the Program Agreements shall be deemed to have terminated on November 24, 1960, subject to the following understandings :

"2. The Government of the United Kingdom of Libya shall, as of November 24, 1960, succeed to all the rights and obligations of the respective Joint Services under all then existing project and other agreements entered into in accordance with the respective Program Agreements. All such Project and other agreements shall be appropriately amended to give effect to that succession and all such amendments shall be deemed to have entered into force on November 24, 1960.

<sup>1</sup> According to the information provided by the United States of America this note was dated 1 December 1960 ; not printed by the Department of State of the United States of America.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 270, p. 245.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 270, p. 269.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 270, p. 293.

<sup>5</sup> United Nations, *Treaty Series*, Vol. 270, p. 317.

"3. The provisions of the General Agreement for Technical Co-operation between our two Governments, signed at Tripoli on July 21, 1955,<sup>1</sup> or, as the case may be, the Economic Development Agreement between our two Governments, effected by an exchange of Notes signed at Tripoli, April 2 and 4, 1957,<sup>2</sup> shall be applicable, as of November 24, 1960, to the Project and other agreements referred to in paragraph 2 above, and the Government of the United Kingdom of Libya shall be responsible as of November 24, 1960, for the execution of activities carried out under the above mentioned project and other agreements.

"4. The appropriate authorities under each of the Program Agreements shall transfer, effective November 24, 1960, to the Government of the United Kingdom of Libya, or to such Ministry as shall be designated by that Government, all materials, equipment, supplies, funds and other property, including books and records, of the respective Joint Services established under the program agreements.

"5. The Government of the United Kingdom of Libya shall not assert any claims against the Government of the United States of America arising from or related to the termination of the afore-mentioned Joint Service Program Agreements and will save the Government of the United States of America harmless from any such claims asserted by third parties.

"6. The provisions of the Agreement constituted by the present Note and Your Excellency's Note in reply may be amended by mutual agreement between representatives of our two Governments, insofar as necessary to give effect to the purposes hereof.

"I have the honor to propose that Your Excellency's Note and the present Note in reply concurring therein shall constitute an Agreement between our two Governments which shall be deemed to have entered into force on November 24, 1960."

In reply thereto I have the honor to inform Your Excellency that the Government of the United States accepts and concurs in the proposals of the United Kingdom of Libya in the above mentioned Note.

Accept, Excellency, the assurances of my highest consideration.

J. Wesley JONES

His Excellency Abd Al Qadir Al Allaam  
Minister of Foreign Affairs  
of the United Kingdom of Libya

<sup>1</sup> United Nations, *Treaty Series*, Vol. 264, p. 247.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 283, p. 181.

## RELATED LETTER

*The American Ambassador to the Libyan Minister of Foreign Affairs*

Tripoli, December 11, 1960

Dear Mr. Minister :

With reference to numbered paragraph 5 (five) of your note of today's date and my reply, terminating the Joint Service Program Agreements, I should like to confirm that my Government requires this provision in view of its inability, in attempting to comply with the Libyan Government's desire for early action, to follow normal procedures providing for outstanding or future claims of which the United States Government has not been informed. As this particular paragraph of the note clearly implies, my Government wishes assurances that it will be exempt from claims, arising out of the termination of the Joint Services, which might be brought against it by third parties, whether they be Libyans, third-country nationals, official Libyan entities, et cetera.

In further clarification of paragraph 5 of today's agreement, I am happy to assure you that it is not the intention of my Government to detract from or negate any of its commitments to the Governments of Libya as contained in existing projects or other agreements unless mutually agreed by the appropriate Libyan and American authorities

J. Wesley JONES.

His Excellency Abd Al Qadir Al Allaam  
Minister of Foreign Affairs  
of the United Kingdom of Libya