

No. 6906

**UNITED STATES OF AMERICA
and
THAILAND**

Exchange of notes constituting an agreement relating to the establishment and operation of a SEATO Clinical Research Center as a project in a Medical Program in Thailand (with Memorandum of Understanding dated 28 March 1963). Bangkok, 1 and 25 April 1963

Official text: English.

Registered by the United States of America on 12 September 1963.

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

Échange de notes constituant un accord relatif à la création et à la gestion d'un Centre de recherche clinique de l'OTASE dans le cadre d'un Programme médical en Thaïlande (avec Mémoire d'accord en date du 28 mars 1963). Bangkok, 1^{er} et 25 avril 1963

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 12 septembre 1963.

No. 6906. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THAILAND RELATING TO THE ESTABLISHMENT AND OPERATION OF A SEATO CLINICAL RESEARCH CENTER AS A PROJECT IN A MEDICAL PROGRAM IN THAILAND. BANGKOK, 1 AND 25 APRIL 1963

I

The American Ambassador to the Thai Minister of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Bangkok, April 1, 1963

No. 4082

Excellency :

I have the honor to refer to Your Excellency's Note No. (0804) 9694/2506 dated March 27, 1963,² in which Your Excellency informed me that His Majesty's Government would welcome the participation of the United States Government in the establishment and operation of the proposed SEATO³ Clinical Research Center at the School of Graduate Studies of the University of Medical Sciences as the second joint medical project⁴ in a general SEATO Medical Program in Thailand.

In reply, I have the honor to inform Your Excellency that the United States Government is pleased to accept His Majesty's Government's invitation to participate in the establishment of this Center.

The office of the Surgeon General and the U.S. Army Medical Research and Development Command are prepared to cooperate with the University of Medical Sciences in this project and to provide certain supplies, equipment and American medical personnel.

In order to define more specifically the respective arrangements for cooperation between the University of Medical Sciences and the office of the Surgeon General in establishing and operating the SEATO Clinical Research Center, I am enclosing with this Note a Memorandum of Understanding for your consideration.

¹ Came into force on 25 April 1963 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

³ Southeast Asia Treaty Organization.

⁴ For the first project, see United Nations, *Treaty Series*, Vol. 405, p. 135.

The U.S. Government is in full agreement with the understanding to which Your Excellency referred that all SEATO Member Governments are invited to participate in the proposed Clinical Research Center, as in other SEATO projects.

If this Note, with the enclosed Memorandum of Understanding, is acceptable to Your Excellency's Government, I suggest that this Note and Your Excellency's Note in reply constitute an agreement between the Government of the United States and the Royal Thai Government, to enter into force on the date of Your Excellency's reply.

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

Kenneth T. YOUNG, Jr.

His Excellency Thanat Khoman
Minister of Foreign Affairs

Bangkok, Thailand, March 28, 1963

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES GOVERNMENT AND THE ROYAL THAI GOVERNMENT FOR ESTABLISHMENT OF THE SEATO CLINICAL RESEARCH CENTER AS A JOINT MEDICAL PROJECT FOR PROFESSIONAL RESEARCH, TRAINING, AND EDUCATION

I. *Preamble*

1. The cooperative effort to establish the SEATO Clinical Research Center will be undertaken as a Project of the SEATO Medical Program, specifically between the University of Medical Sciences of Thailand and the Office of the Surgeon-General, United States Army. The Project will have a duration of at least five years.

2. It is desirable to distinguish the SEATO Clinical Research Center from other medical facilities in Thailand including those which may be organized in association with it. Patients will be carefully selected to advance the research and training objectives of the Center. It is intended that admission be limited to individuals whose illnesses are related to the work and objectives of the Center.

II. *Objectives*

1. In jointly establishing the SEATO Clinical Research Center, the two Governments seek to create a research facility for the scientific study of disease conditions existing in Thailand, and for specialized professional training in the medical management of such diseases. It is believed that in thus extending medical knowledge, the Center will contribute to the prevention of disease and the improvement of living standards.

2. The objectives are to be sought by :

(a) Conducting continuous research on diseases affecting the health of man in Southeast Asia, determining the metabolic, endocrinology and nutritional factors which may affect man's reaction to diseases in a tropical region. If necessary, and in agreement with the University of Medical Sciences, it may include infectious diseases, parasitic diseases, zoonoses, disorders of blood and those diseases which require a health-sanitation management.

(b) Applying modern methodology, and utilizing research equipment to facilitate more accurate diagnosis, better treatment, and progressive medical management of patients.

(c) Continuously evaluating research methods and analyzing results for a better understanding of the pathogenesis of diseases.

(d) Utilizing highly qualified medical scientists in the use of diagnostic tools, specialized equipment and modern laboratory tests.

(e) Training qualified science graduates who would become the future teachers in the basic medical sciences.

(f) Developing qualified teachers in the field of medical education and establishing standards for specialty training.

III. *Direction and Administration*

1. The Dean of the School of Graduate Studies of the University of Medical Sciences will be designated the Director-General of the SEATO Clinical Research Center exercising overall policy responsibility for this Project pursuant to the objectives stated above. He will be assisted by a Board of Directors composed of the representative of the Secretary-General of SEATO and the Chiefs of the national Components in the Project.

2. Day-to-day administration of the Center will be the responsibility of the heads of the respective Components.

3. Professional scientists from any other country authorized to participate in training or research at the Center will be permitted full access to its facilities and equipment.

IV. *Personnel*

1. The United States will provide through the Office of the Surgeon-General and the U.S. Army Medical Research and Development Command an appropriate number of professional consultants, scientific personnel, physicians, technologists, technicians, and supporting personnel required for the United States contribution to the joint Project. These personnel for the Clinical Research Center will comprise

a portion of the U.S. Component of the overall SEATO Medical Program. They will initially be attached to the office of the U.S. Army Attaché at the American Embassy, Bangkok. The U.S. Government will pay salaries, living allowances, and traveling expenses to and from Thailand, as well as local travel expense for all U.S. personnel.

2. The U.S. Government also will hire Thai nationals and, if appropriate, other non-U.S. personnel according to the needs of the Project and in accordance with pertinent laws and regulations of the Royal Thai Government.

3. The Royal Thai Government, through the Rector of the University of Medical Sciences, will provide physicians, consultants, scientific personnel, technologists, technicians, and other supporting personnel in appropriate numbers necessary to ensure the proper operation of the Thai portion of this joint Project.

4. In the professional, medical management of patients of the SEATO Clinical Research Center, American commissioned Medical Corps physicians, who already hold licenses, and other duly licensed physicians will be afforded professional privileges in the practice of the Arts and Sciences of Medicine, as far as permitted by Thai laws and regulations. Upon receipt of proof of such commission or bona fide license, the Royal Thai Government through the Ministry of Health will issue the necessary temporary permit to practice medicine. Doctors of other than Thai nationality assigned to this Project will not engage in the private practice of medicine in Thailand.

5. It is understood that all professional personnel assigned to the Center, who are qualified for teaching, will participate in the instructional activities of the Center and the Graduate Faculty of the University of Medical Sciences to the extent mutually agreed.

V. *Accommodations*

1. It is understood that the building required for the SEATO Clinical Research Center, including patient ward and other bed space, treatment area, laboratory space, office space, and other necessary operational space will be made available by the Royal Thai Government at no expense to the United States. Space requirements for the U.S. Component will be determined by joint agreement between the Chiefs of the two Components.

2. The Royal Thai Government will assume responsibility for all maintenance, housekeeping, security, and janitorial services for the building, including maintenance of all utilities and grounds.

3. The Royal Thai Government also will provide adequate public utilities, including electricity, gas, water and telephone service, required for the efficient operation of the Center.

4. The consumption costs of these utilities will be shared proportionately by the two Governments, the respective shares to be determined by agreement between the Chiefs of the two Components.

VI. *Equipment*

1. The U.S. Government will assist in providing the SEATO Clinical Research Center with appropriate technical and scientific equipment. Arrangements will be made by the Royal Thai Government to ensure that such equipment and supplies obtained for this joint Project will be expeditiously admitted into Thailand, exempt from customs duty and other taxation. Equipment to be provided by the U.S. will include research laboratory equipment ; equipment for medical diagnosis and patient care ; technical equipment for specific research studies and teaching ; specialized equipment for radio-isotopes ; a clinical and toxicological chemistry laboratory ; refrigerating, air conditioning, sterilizing, and illuminating equipment that may be required for a special diet kitchen, operating rooms, or intensive medical care research ; certain expendable supplies ; and other materials and equipment as required for activities jointly agreed upon by the Chiefs of the two Components. The U.S. will also provide office furniture and other professional equipment for the use of assigned U.S. Component personnel and, to the extent possible, for individuals in a training status.

2. All equipment furnished by the United States will remain the property of the U.S. Government. At the conclusion of the jointly operated Project, disposition of the U.S. property and equipment will be determined by the Chief of the U.S. Component in consultation with the Director-General.

VII. *Patient Care*

1. Responsibility for complete medical care of patients will be exercised jointly by the Chiefs of the two Components, who also will jointly establish criteria for admission. U.S. citizens will be admitted on the same basis as other patients. All costs, other than salaries, of hospitalization, medical care, diagnostic service, fluids, drugs, treatments, and food service for patients will be shared equally by the two Governments.

2. Patients with the ability to pay will be expected to reimburse the Center for medical care and other services received. Charges for such services will be determined by the Chiefs of the two Components and the proceeds will be used to help defray the Center's costs for patient care as mentioned in preceding paragraphs.

VIII. *Transportation*

1. Thai authorities will initially furnish the SEATO Clinical Research Center two staff cars and two small utility vehicles for official transportation, administration,

and the collection of laboratory specimens. If additional vehicles are required, the Royal Thai Government will provide them insofar as possible. The U.S. Government will provide the fuel, lubricants, and motor maintenance for the above vehicles.

IX. *Miscellaneous*

1. Adequate housing for an animal colony will be provided by the Royal Thai Government. The equipment, laboratory animals, and supervision of the animal colony will be provided by the U.S. Government. The cost of animal food used in connection with joint research and teaching projects at the SEATO Clinical Research Center will be paid by the U.S. Government.

2. Care will be taken not to duplicate laboratory facilities which already exist in the SEATO Medical Research Project.

3. The foregoing undertakings are, of course, made subject to the availability of funds.

4. This Memorandum of Understanding will be subject to modification from time to time, as necessary.

II

The Thai Minister of Foreign Affairs to the American Ambassador

MINISTRY OF FOREIGN AFFAIRS
SARANROM PALACE

25th April, B. E. 2506¹

No. (0804)12811/2506

Excellency,

In reply to Your Excellency's Note No. 4082 dated April 1, 1963, forwarding a Memorandum of Understanding between the United States Government and the Royal Thai Government for the Establishment of the SEATO Clinical Research Center as a Joint Medical Project for Professional Research, Training, and Education, I have the honour to inform Your Excellency that the terms of the Memorandum of Understanding are acceptable to His Majesty's Government and that Your Excellency's

¹ April 25, 1963.

Note under reference together with this Note constitute an agreement between His Majesty's Government and the Government of the United States, to enter into force as from this date.

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

Th. KHOMAN
Minister of Foreign Affairs

His Excellency Mr. Kenneth T. Young, Jr.
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Bangkok