

No. 7425

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**UNITED STATES OF AMERICA  
and  
CONGO (LEOPOLDVILLE)**

**Exchange of notes constituting an agreement relating to  
the furnishing of military equipment, materials and  
services. Leopoldville, 24 June and 19 July 1963**

*Official texts: English and French.*

*Registered by the United States of America on 30 September 1964.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
CONGO (LÉOPOLDVILLE)**

**Échange de notes constituant un accord relatif à la fourniture d'équipement, de services et de matériel militaires.  
Léopoldville, 24 juin et 19 juillet 1963**

*Textes officiels anglais et français.*

*Enregistré par les États-Unis d'Amérique le 30 septembre 1964.*

No. 7425. EXCHANGE OF NOTES  
CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE UNITED STATES  
OF AMERICA AND THE REPUBLIC  
OF THE CONGO (LEOPOLDVILLE)  
RELATING TO THE FURNISHING  
OF MILITARY EQUIPMENT,  
MATERIALS AND SERVICES.  
LEOPOLDVILLE, 24 JUNE AND  
19 JULY 1963

N° 7425. ÉCHANGE DE NOTES CONS-  
TITUANT UN ACCORD<sup>1</sup> ENTRE  
LES ÉTATS-UNIS D'AMÉRIQUE  
ET LA RÉPUBLIQUE DU CONGO  
(LÉOPOLDVILLE) RELATIF À LA  
FOURNITURE D'ÉQUIPEMENT,  
DE SERVICES ET DE MATÉRIEL  
MILITAIRES. LÉOPOLDVILLE,  
24 JUIN ET 19 JUILLET 1963

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

*L'Ambassadeur des États-Unis d'Amérique  
au Ministre des affaires étrangères du  
Congo*

No. 96

Excellency :

Leopoldville, June 24, 1963

I have the honor to refer to recent conversations and communications between representatives of our two governments and to advise you that the Government of the United States of America is prepared to furnish to the Government of the Republic of the Congo such military equipment, materials, and services as may be requested by representatives of the Government of the Republic of the Congo and agreed to by representatives of the Government of the United States of America. Such military assistance will be provided to help assure the security and independence of the Republic of the Congo in accordance with such terms and conditions as may be agreed upon by such representatives in accordance with the following understandings :

1. The Government of the Republic of the Congo shall use the military equipment, materials, and services furnished by the Government of the United States of America to maintain its internal security and legitimate self defense. It is understood that the Government of the Republic of the Congo as a member of the United Nations organization interprets the term "legitimate self defense" within the scope of the United Nations Charter as excluding an act of aggression against any other state.

2. The Government of the Republic of the Congo shall not relinquish or transfer title to or possession of the military equipment and materials furnished by the Government of the United States of America and shall not use or permit the use of such articles for purposes other than those for which furnished without the prior consent of the Government of the United States of America.

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<sup>1</sup> Came into force on 19 July 1963 by the exchange of the said notes.

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<sup>1</sup> Entré en vigueur le 19 juillet 1963 par l'échange desdites notes.

3. The Government of the Republic of the Congo undertakes that it shall take the measures which will be agreed upon with representatives of the United States of America to maintain the security and prevent the disclosure or compromise of classified articles, services, or information received hereunder.

4. In connection with this Agreement, the United States will send, and the Republic of the Congo will receive, a military mission. The Chief of Mission and his Deputy will receive the same treatment accorded diplomatic agents under the Convention on Diplomatic Relations signed at Vienna on April 18, 1961.<sup>1</sup> All other personnel of the mission, including U.S. military personnel temporarily assigned and auxiliary groups of U.S. military personnel who may be serving in, or transiting the Congo, will be accorded the treatment to which technical and administrative personnel of diplomatic missions are entitled under that Convention.

5. The Government of the United States may establish and operate in the Republic of the Congo a United States military Post Office for the transmission of mail between such military post office and other United States post offices, for the benefit of official United States Government agencies and organizations in the Republic of the Congo, the personnel assigned thereto who are United States nationals, and their dependants.

6. The Government of the Republic of the Congo will grant duty-free treatment on importation or exportation of, and exemption from internal taxation upon, products, property, materials, or equipment imported into its territory in connection with this agreement.

7. The Government of the Republic of the Congo will permit representatives of the Government of the United States of America to observe the utilization and progress of assistance furnished pursuant to this agreement.

8. The Government of the Republic of the Congo shall offer to return to the Government of the United States of America military equipment and materials furnished by the Government of the United States of America hereunder which are no longer required for the purpose for which they were originally made available.

If these understandings are acceptable to your Excellency's Government, I propose that this note and your Excellency's note in reply concurring therein shall constitute an agreement between our two governments which shall enter into force on the date of your Excellency's reply.

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

Edmund A. GULLION

His Excellency Auguste Mabika-Kalanda  
Minister of Foreign Affairs  
Leopoldville

<sup>1</sup> United Nations, *Treaty Series*, Vol. 500, No. 7310.

ment des États-Unis d'Amérique en vertu des présentes, qui ne sont plus nécessaires aux fins pour lesquelles ils avaient été fournis à l'origine.

Veuillez agréer, Monsieur l'Ambassadeur, les assurances renouvelées de ma très haute considération.

Le Secrétaire d'État aux Affaires Étrangères :

M. LENGEMA

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

REPUBLIC OF THE CONGO  
MINISTRY OF FOREIGN AFFAIRS

No. 135/4081

Leopoldville, July 19, 1963

Mr. Ambassador :

I have the honor to acknowledge receipt of your note of June 24, 1963, with enclosure.<sup>3</sup>

I inform you that the Government of the Republic of the Congo, in view of the particulars which you and your associates were good enough to furnish me, subscribes to the agreement on the furnishing of military equipment which you submitted to it, reading as follows :

[See paragraphs numbered 1-8 of note I]

Accept, Mr. Ambassador, the renewed assurances of my very high consideration.

M. LENGEMA

Secretary of State for Foreign Affairs

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<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.

<sup>3</sup> The text of this enclosure was not included in the copies of the Agreement submitted for registration ; according to information provided by the United States of America the Contracting Parties do not consider it as constituting an integral part of the Agreement.