

No. 10932

**UNITED STATES OF AMERICA
and
KHMER REPUBLIC**

**Exchange of notes constituting an agreement concerning
military assistance to Cambodia. Phnom Penh, 20
August 1970**

Authentic texts: English and French.

Registered by the United States of America on 2 February 1971.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE KHMÈRE**

**Échange de notes constituant un accord concernant l'assistance
militaire au Cambodge. Phnom Penh, 20 août 1970**

Textes authentiques: anglais et français.

Enregistré par les États-Unis d'Amérique le 2 février 1971.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CAMBODIA CONCERNING MILITARY ASSISTANCE TO CAMBODIA

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LE CAMBODGE CONCERNANT L'ASSISTANCE MILITAIRE AU CAMBODGE

I

Phnom Penh, August 20, 1970

Excellency:

I have the honor to refer to recent discussions with the Government of Cambodia concerning the conditions under which defense articles are being furnished to Cambodia. I propose that the following arrangements apply to the provision of these defense articles:

(1) All defense articles furnished to the Government of Cambodia shall be subject to the requirements of United States law and to the following conditions specified in numbered paragraphs 3, 4, 5, 6 and 7 of the Exchange of Notes of May 16, 1955,² at Phnom Penh between the Governments of the United States and Cambodia:

Any military assistance furnished by the United States will be provided on the condition that no equipment or materials furnished will be used to undertake acts of aggression against any nation.

The Government of Cambodia will utilize the equipment and materials furnished by the Government of the United States solely for the maintenance of its internal security and legitimate defense of its territory.

The Government of Cambodia will assure the safeguarding and the security of any article, service or technical military information furnished by the United States.

The title to or possession of any equipment, materials, information, or services furnished will not be transferred to any person not an officer or agent of the Government of Cambodia, or to a third country, without the prior consent of the competent American authorities.

¹ Came into force on 20 August 1970, date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 263, p. 273.

¹ Entré en vigueur le 20 août 1970, date de la note de réponse, conformément aux dispositions desdites notes.

If this equipment is no longer required for the purposes for which it was originally furnished as specified in paragraph 4 of the present Agreement, the Government of Cambodia will return it to the United States or dispose of it in accordance with the wishes of the Government of the United States.

(2) With regard to the use of these articles, the Government of Cambodia will permit such administrative observation and review as the United States Government may require and provide necessary information to the United States Government. United States Government personnel discharging the responsibilities specified in this paragraph will operate as part of the Embassy of the United States of America under the direction and control of the Chief of the Diplomatic Mission and will have the same privileges and immunities as are accorded other personnel in comparable positions in the Embassy of the United States.

(3) These arrangements will apply to all United States military assistance heretofore furnished or which may hereafter be furnished to Cambodia by the United States, whether that assistance is received directly from the Government of the United States or transferred in any other manner to Cambodia.

(4) Cambodia or the United States may in writing request revision or give notice of termination of the present Agreement, which shall be effective upon receipt. In the event of termination the materials and equipment furnished by the United States will continue to be subject to the conditions specified in numbered paragraph 1 of this agreement, which conditions will remain in force until their revision or their termination by a new agreement.

If these terms are acceptable to the Government of Cambodia I have the honor to 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.

Please accept, Excellency, the renewed assurances of my highest consideration.

LLOYD M. RIVES

Chargé d'Affaires a.i.

His Excellency Koun Wick
Minister of Foreign Affairs
Phnom Penh

[TRANSLATION¹ — TRADUCTION²]

STATE OF CAMBODIA
MINISTRY OF FOREIGN AFFAIRS

Phnom Penh, August 20, 1970

No. 746/DGP/AM

Mr. Chargé d'Affaires:

With reference to your note of August 20, 1970, which reads as follows:

[*See note I*]

I have the honor to inform you of the Government of Cambodia's agreement to the above-mentioned proposal of the Government of the United States of America.

Accept, Mr. Chargé d'Affaires, the assurance of my very high consideration.

[*Signed*]

KOUN WICK

Minister of Foreign Affairs of Cambodia

His Excellency Lloyd M. Rives

Chargé d'Affaires ad interim

of the Embassy of the United States of America

Phnom Penh

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

² Traduction fournie par le Gouvernement des États-Unis d'Amérique.