

**No. 12096**

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**UNITED STATES OF AMERICA  
and  
KHMER REPUBLIC**

**Exchange of notes constituting an agreement relating to economic assistance. Phnom Penh, 31 May 1971**

*Authentic texts: English and French.*

*Registered by the United States of America on 17 October 1972.*

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

**Échange de notes constituant un accord en vue d'une assistance économique. Phnom Penh, 31 mai 1971**

*Textes authentiques : anglais et français.*

*Enregistré par les États-Unis d'Amérique le 17 octobre 1972.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE KHMER REPUBLIC RELATING TO ECONOMIC ASSISTANCE

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LA RÉPUBLIQUE KHMÈRE EN VUE D'UNE ASSISTANCE ÉCONOMIQUE

*The American Ambassador to the Khmer  
Minister of State, in Charge of Foreign  
Affairs*

*L'Ambassadeur des Etats-Unis d'Amérique  
au Ministre d'Etat khmère, chargé des  
affaires étrangères*

I

Phnom Penh, May 31, 1971

No. 240

Excellency,

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to economic assistance which may be furnished to the Khmer Republic, and to confirm the following understandings resulting from these conversations:

(1) The Government of the United States of America will, subject to the requirements of United States law and to the terms of this Agreement, furnish the Government of the Khmer Republic such economic assistance as may be requested by it and agreed to by the Government of the United States of America.

(2) The Government of the Khmer Republic will make the full contribution permitted by its resources in furtherance of the purposes of assistance provided hereunder; will take appropriate steps to assure the effective use of such assistance; will permit full observation and review by United States representatives of activities hereunder, and records pertaining thereto; will provide the Government of the United States with full information concerning such activities, together with other relevant information needed to determine the nature, scope, and effectiveness of assistance furnished or contemplated; and will give the people of the Khmer Republic appropriate publicity concerning assistance hereunder.

(3) Personnel of the United States of America within the territory of the Khmer Republic discharging responsibilities related to this Agreement shall enjoy the same privileges and immunities as other personnel of comparable rank of the diplomatic mission of the United States of America.

(4) In any case where commodities or services are furnished on a grant basis under arrangements which will result in the accrual of proceeds to the Government of the Khmer Republic from the sale thereof, the Government of the Khmer Republic, except as may otherwise be mutually agreed by appropriate representatives of our two Governments, will deposit promptly in a special account in its own name in the National Bank of Cambodia the amount of local currency equivalent to such proceeds. It is understood that, in connection with the accrual of proceeds from the sale of such commodities

<sup>1</sup> Came into force on 31 May 1971 by the exchange of the said notes.

<sup>1</sup> Entré en vigueur le 31 mai 1971 par l'échange desdites notes.

or services, the Governments of the Khmer Republic and of the United States shall agree upon appropriate rate of exchange for such sale. Upon notification from time to time by the Government of the United States of its local currency requirements, the Government of the Khmer Republic will make available to the Government of the United States, in the manner requested by it, such sums from such special account as are stated in such notifications to be necessary for such requirements. The Government of the Khmer Republic may draw upon any remaining balances in the special account for such purposes beneficial to the Khmer Republic as may be agreed upon by the appropriate representatives of our two Governments. Any unencumbered balances of funds which remain in the special account upon termination of assistance hereunder shall be disposed of for such purposes as may, subject to applicable law, be agreed to between our two Governments.

(5) Assistance provided hereunder may be terminated by either Government if that Government determines that because of changed conditions the continuation of such assistance is unnecessary or undesirable.

(6) Upon receipt of a note from your Excellency indicating that the foregoing is acceptable to the Government of the Khmer Republic, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, which shall enter into force on the date of your reply, and shall remain in force until written notification has been received by either Government of the intention of the other to terminate it. Notwithstanding any such termination, however, the provisions of this Agreement shall remain in effect with respect to assistance theretofore furnished.

In the event of any differences between the English text and the French translation of this letter, the English text shall govern.

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

EMORY C. SWANK

[TRADUCTION — TRANSLATION]

Phnom Penh, le 31 mai 1971

N° 240

Excellence,

[Voir note II]

Veuillez agréer, etc.

EMORY C. SWANK

## II

MINISTÈRE DES AFFAIRES ÉTRANGÈRES<sup>1</sup>

Phnom-Penh, May 31, 1971

No. 625/DGE/AE

Excellency,

I have the honour to acknowledge the receipt of Your Excellency's note of today's date which reads as follows:

[See note I]

I have further the honour to confirm on behalf of my Government the foregoing arrangements and to agree that Your Excellency's note and this note shall be regarded as constituting an agreement between the two Governments, which will enter into effect on the date of their signature.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

[Signed]

KOUN WICK

Minister of State, in Charge of Foreign Affairs  
of the Government of the Khmer Republic

His Excellency Mr. EMORY C. SWANK  
Embassy of the USA  
Phnom-Penh

## MINISTÈRE DES AFFAIRES ÉTRANGÈRES

Phnom-Penh, le 31 mai 1971

n° 625/DGE/AE

Excellence,

J'ai l'honneur d'accuser réception de votre note en date de ce jour ainsi conçue :

« Excellence, J'ai l'honneur de me référer aux entretiens qui ont eu lieu récemment entre les représentants de nos deux Gouvernements relativement à l'aide économique qui peut être fournie à la République khmère, et de confirmer les points d'accord suivants résultant de ces entretiens :

« (1) Le Gouvernement des Etats-Unis d'Amérique, sous réserve des dispositions prévues par la loi des Etats-Unis et des modalités du présent accord, fournira au Gouvernement de la République khmère l'aide économique qui pourrait être demandée par celui-ci et approuvée par le Gouvernement des Etats-Unis d'Amérique.

« (2) Le Gouvernement de la République khmère contribuera dans toute la mesure permise par ses ressources à la réalisation des objectifs de l'aide fournie en vertu du présent accord; prendra toutes les mesures nécessaires pour assurer l'utilisation efficace de l'aide fournie; permettra aux représentants des Etats-Unis d'effectuer toutes observations et études jugées nécessaires sur les activités poursuivies

<sup>1</sup> Ministry of Foreign Affairs.