

No. 12246

**UNITED STATES OF AMERICA
and
TURKEY**

**Exchange of notes constituting an agreement concerning the
loan of the submarines USS *Entemedor* (SS 340) and
USS *Threadfin* (SS 410). Ankara, 28 July 1972**

Authentic text: English.

Registered by the United States of America on 29 December 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
TURQUIE**

**Échange de notes constituant un accord concernant le prêt
des sous-marins USS *Entemedor* (SS 340) et USS *Thread-
fin* (SS 410). Ankara, 28 juillet 1972**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 29 décembre 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND TURKEY CONCERNING THE LOAN OF THE SUBMARINES USS *ENTEMEDOR* (SS 340) AND USS *THREADFIN* (SS 410)

I

*The American Ambassador to the Turkish Secretary General,
Ministry of Foreign Affairs*

Ankara. July 28, 1972

No. 464

Excellency:

I have the honor to refer to recent conversations between the representatives of our two Governments concerning the loan of the submarines USS *Entemedor* (SS 340) and USS *Threadfin* (SS 410) by the Government of the United States of America to the Government of Turkey. In response to the Ministry's Aide-Memoire dated January 24, 1969,* requesting the loan of these vessels, I have the further honor to inform you that the Government of the United States agrees to transfer to transfer the USS *Entemedor* (SS 340) and the USS *Threadfin* (SS 410) on loan to the Government of Turkey for a period of five years under the following conditions specified below in pursuance of the existing cooperation between our two Governments, the principle of which is stated in article III of the North Atlantic Treaty:²

1. The Government of Turkey will retain possession of, and will use, the vessels subject to the terms and conditions contained in this note, Agreement on aid to Turkey between our two Governments signed July 13, 1947,**³ and an Agreement between our two Governments effected by an exchange of notes signed January 7, 1952.⁴

2. The loans shall remain in effect for the period of five years unless terminated earlier by the Government of Turkey. However, the United States Government may terminate the loans if such action is necessitated by the occurrence of either of the contingencies set forth in United States Public Law 92-270.

3. The vessels, together with their available on-board spares and allowances, including consumable stores and fuel, will be delivered to the Government of Turkey; at a place and time to be mutually agreed upon, each delivery to be evidenced by a delivery certificate. The Government of Turkey shall have the use of all outfittings, equipment, appliances, fuel, consumable stores, and spares and replacement parts on board the vessels at the time of their delivery.

4. While the Government of Turkey may place the vessels under the Turkish Flag, title to the vessels and appurtenances enumerated in paragraph 3 of this note, except fuel, consumable stores, spares and replacement parts, shall remain in the Government of the United States. The Government of Turkey shall not, without the consent of the Government

* Not printed.

** Should read "July 12, 1947".

¹ Came into force on 28 July 1972, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 34, p. 243.

³ *Ibid.*, vol. 7, p. 299.

⁴ *Ibid.*, vol. 179, p. 121.

of the United States, relinquish physical possession of the vessels or any such appurtenances.

5. The Government of Turkey renounces all claims which might arise against the Government of the United States in connection with the transfer, use or operation of vessels, and will save the Government of the United States harmless from any claim asserted by third parties in such connection.

6. Upon expiration or termination of the loans, as provided in paragraph 2 of this note, the vessels, unless lost, shall be returned at the place and time to be specified by the Government of the United States in substantially the same condition, fair wear and tear excepted, as they were when transferred to the Government of Turkey. Any appurtenances of the type enumerated in paragraph 3 of this note on board the vessels at the time of return shall, if they are not already property of the Government of the United States, become property of the Government of the United States. Should either vessel sustain damage from any cause, such as to render it, in the opinion of the Government of Turkey, a total loss, the Government of Turkey shall consult with the Government of the United States before declaring it to be a total loss. If either vessel is lost, or if it is not substantially in the same condition upon return as it was when originally transferred, the Government of Turkey agrees to pay the Government of the United States fair and reasonable compensation as may be agreed upon, taking into consideration whether such loss or damage was caused through action by a hostile force.

The transfer dates and termination dates of the proposed loans will be as follows: Name of vessel, USS *Entemedor* (SS 340); date of delivery, July 31, 1972; termination, July 30, 1977. Name of vessel, USS *Threadfin* (SS 410); date of delivery, August 18, 1972; termination, August 17, 1977.

If the foregoing is acceptable to the Government of Turkey, I have the further honor to propose that this note, and Your Excellency's reply to that effect shall constitute an agreement between the two Governments which shall become effective on the date of Your Excellency's reply and applicable to the loans of the USS *Entemedor* (SS 340) and the USS *Threadfin* (SS 410) on the dates pursuant to the conditions stated above.

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

WILLIAM J. HANDLEY

His Excellency Ismail Erez
Secretary General
Ministry of Foreign Affairs
Ankara

II

TÜRKİYE CUMHURİYETİ
DIŞİŞLERİ BAKANLIĞI *

July 28, 1972

No. 3338

Excellency,

I have the honor to acknowledge the receipt of your note No. 464, dated July 28, 1972, which reads as follows:

[See note I]

* Turkish Republic, Ministry of Foreign Affairs.

I have the honor to inform you that my Government is in agreement with the foregoing.

I avail myself of this opportunity to reiterate to Your Excellency, the assurances of highest consideration.

[Signed]

ISMAIL EREZ

Ambassador, Secretary General
of the Ministry of Foreign Affairs

His Excellency William J. Handley
Ambassador of the United States of America
Ankara
