

No. 14751

**UNITED STATES OF AMERICA
and
UNITED ARAB EMIRATES**

**Exchange of notes constituting an agreement relating to the
purchase of defense articles and services. Abu Dhabi,
15 and 21 June 1975**

Authentic text: English.

Registered by the United States of America on 7 May 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
ÉMIRATS ARABES UNIS**

**Échange de notes constituant un accord relatif à l'achat de
matériel et de services de défense. Abou Dhabi, 15 et
21 juin 1975**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 7 mai 1976.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN
THE UNITED STATES OF AMERICA AND THE UNITED ARAB
EMIRATES RELATING TO THE PURCHASE OF DEFENSE ARTICLES
AND SERVICES

I

*The American Ambassador to the United Arab Emirates Minister
of Foreign Affairs*

EMBASSY OF THE UNITED STATES OF AMERICA

Abu Dhabi, June 15, 1975

No. 53

Excellency:

In view of the friendship existing between the Government of the United Arab Emirates and the Government of the United States of America, I have the honor to confirm that by Executive determination of the President of the United States, the United Arab Emirates is eligible to receive defense articles and services in accordance with the United States Foreign Military Sales Act. I further have the honor to refer to recent conversations between representatives of our two governments concerning the purchase of certain defense articles and services from the Government of the United States by the Government of the United Arab Emirates, as a result of which the following understandings have been reached:

1. Subject to applicable United States laws, regulations and practices, the Government of the United States shall sell to the Government of the United Arab Emirates such defense articles and services as may be mutually agreed upon by both governments.

2. Defense articles and services shall be purchased hereunder and used solely for internal security or legitimate self-defense of the United Arab Emirates, which shall not undertake any act of aggression against any other state.

3. The Government of the United Arab Emirates may purchase defense articles and services hereunder for its own use in accordance with paragraph 2 or, with the approval of the Government of the United States in each instance, for that of the Armed Forces or Security Forces of one or more of the respective Emirates constituting the Union, but in either case the Government of the United Arab Emirates agrees and undertakes to ensure that title to and possession of any defense article so purchased shall not be transferred to any person or entity not an officer, employee or agent of the United Arab Emirates, or of the approved Emirate or Emirates, without the prior written consent of the Government of the United States.

4. (A) Purchases hereunder of defense articles and services shall be effected pursuant to the documentation normally employed by the Government of the United States in connection with such transactions, and written in the English language. Such documentation shall be executed on behalf of the Government of the United Arab Emirates by its Minister of Foreign Affairs or by such other person as he shall have authorized, by written notification to the Government of the United States through normal diplomatic channels, to execute such documents on behalf of the Government of the United Arab Emirates.

(B) In the case of defense articles or services purchased hereunder for use by the Armed Forces or Security Forces of a constituent Emirate, the purchase documentation, including applicable use and non-transfer assurances, shall also be executed on behalf of such Emirate by an appropriate official thereof.

¹ Came into force on 21 June 1975, the date of the note in reply, in accordance with the provisions of the said notes.

(C) Procedures governing the transmission of documents and the shipment of defense articles shall be those normally employed by the Government of the United States in connection with similar transactions, subject to such modification as may from time to time be agreed upon by appropriate representatives of the two governments.

5. Under unusual and compelling circumstances when the best interests of the United States require it, the Government of the United States reserves the right to cancel all or part of any transaction hereunder at any time prior to the delivery of defense articles or performance of services. It shall be responsible for all termination costs of its suppliers resulting from cancellations under this paragraph.

I have the honor to propose that, if these understandings are acceptable to Your Excellency's government, this note and Your Excellency's note in reply concurring therein shall constitute an agreement between the Government of the United States and the Government of the United Arab Emirates, effective on the date of Your Excellency's note.

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

MICHAEL STERNER

His Excellency Ahmad Khalifa Al-Suwaidi
Minister of Foreign Affairs of the United Arab Emirates
Abu Dhabi

II

MINISTRY OF FOREIGN AFFAIRS
UNITED ARAB EMIRATES

Abu Dhabi, 21.6.75

Ref-5/3/1-274

Excellency,

Reference to Your Note No. 53 dated 15th June, 1975, I acknowledge that paragraph 4(A) has been amended as requested by us in reply to Your First Note dated 9th October, 1974, in later discussions.

In response, I have the honour to state my concurrence to the understandings laid down in Your Note No. 53. Consequently as from the date of this Note, I consider that it is the intention of both parties that a binding agreement is concluded between the Government of the United States of America and the Government of the United Arab Emirates by virtue of which the United Arab Emirates is eligible to receive defence articles and services in accordance with the United States Foreign Military Sales Act and subject to the conditions elaborated in Your Note No. 53.

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

[Signed]

AHMED KHALIFA AL-SUWEIDI
Minister of Foreign Affairs
United Arab Emirates

His Excellency Mr. Michael Sterner
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Abu Dhabi