

No. 17325

**UNITED STATES OF AMERICA
and
VENEZUELA**

Exchange of notes constituting an agreement relating to military assistance: eligibility requirements pursuant to the International Security Assistance and Arms Export Control Act of 1976. Caracas, 16 and 30 June 1977

Authentic texts: English and Spanish.

Registered by the United States of America on 24 November 1978.

**ÉTATS-UNIS D'AMÉRIQUE
et
VENEZUELA**

Échange de notes constituant un accord relatif aux conditions auxquelles est assujettie la fourniture de l'assistance militaire en vertu de l'*International Security Assistance and Arms Export Control Act* de 1976 (loi sur l'assistance au titre de la sécurité internationale et le contrôle des exportations d'armements). Caracas, 16 et 30 juin 1977

Textes authentiques : anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 24 novembre 1978.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND VENEZUELA RELATING TO MILITARY ASSISTANCE: ELIGIBILITY REQUIREMENTS PURSUANT TO THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976

I

The American Ambassador to the Venezuela Acting Minister of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 351

The Ambassador of the United States of America presents his compliments to His Excellency the Acting Minister of Foreign Affairs of the Republic of Venezuela, and has the honor to refer to recently enacted provisions of United States law affecting eligibility for U.S. Military Assistance and Training.

The provisions of the International Security Assistance and Arms Export Control Act of 1976 establish new statutory authority for military education and training which heretofore has been furnished by the United States Government as a defense service under its Military Assistance Program. In addition, they prohibit the furnishing of such training unless the recipient country agrees that it will observe certain conditions regarding such training. These conditions are that, without the consent of the United States Government, the recipient country will not permit the use of such services or training by anyone not an officer, employee, or agent of that country; that it will not transfer or permit their transfer by gift, sale, or otherwise; that it will not use them or permit their use for purposes other than those for which furnished; that it will maintain their security; that it will permit continuous observation and review by United States Government representatives regarding their use; and that, unless the United States Government consents to other disposition, it will return them to the United States Government when no longer needed.

In order to implement this law, and to preserve the eligibility of the Government of Venezuela for military training thereunder, it is proposed that the Government of Venezuela provide the following assurances:

¹ Came into force on 30 June 1977, the date of the note in reply, in accordance with the provisions of the said notes.

1. That it will not, without the consent of the United States Government:
 - A. Permit any use of services or training, furnished by the United States Government by anyone not an officer, employee, or agent of the Government of Venezuela;
 - B. Transfer or permit any officer, employee, or agent of the Government of Venezuela to transfer such services or training by gift, sale, or otherwise; or
 - C. Use or permit the use of such services or training for purposes other than those for which furnished by the United States Government.
2. That it will maintain the security of such services or training as are furnished by the United States Government; and will provide substantially the same degree of security protection afforded to such services or training by the United States Government;
3. That Venezuela, at the request of the Government of the United States of America, will furnish information regarding the use of such services or training; and
4. That it will return to the United States Government such service or training materials furnished on a grant basis as are no longer needed for the purposes for which furnished, unless the United States Government consents to other disposition.

It is further proposed that the Minister's reply stating that the foregoing is acceptable to the Government of Venezuela shall together with this Note, constitute an agreement between the governments on this subject, to be effective from the date of the Minister's Note in reply.

The Ambassador of the United States of America takes this opportunity to renew to His Excellency the Acting Minister of Foreign Affairs the assurances of his high consideration.

Caracas, June 16, 1977

VPV
Embassy of the United States of America

II

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE VENEZUELA
MINISTERIO DE RELACIONES EXTERIORES

PI-AI 8160

El Encargado del Ministerio de Relaciones Exteriores saluda atentamente a Su Excelencia el Embajador de los Estados Unidos de América, en la oportunidad de hacer referencia a sus Notas números 350 y 351, de fecha 16 de junio del año en curso, relativas al Proyecto de Acuerdo para regular los servicios de defensa del programa de asistencia militar a Venezuela y la aceptación de su Ilustrado Gobierno a la modificación propuesta para el Artículo 3º de dicho Proyecto, sugerida en la Nota número PI-AI 4643, de fecha 28 de abril de este mismo año.

El Encargado del Ministerio de Relaciones Exteriores hace propicia la oportunidad para expresar que el Gobierno de Venezuela manifiesta su conformidad a lo expuesto en la referida Nota número 351 y que la presente Nota y la de esa Embajada, constituyen un Acuerdo sobre la materia entre ambos Gobiernos, y será definitivo a partir de la fecha.

El Encargado del Ministerio de Relaciones Exteriores aprovecha la ocasión para reiterar a Su Excelencia el Embajador de los Estados Unidos de América las seguridades de su más alta consideración.

Caracas, 30 de junio de 1977

[TRANSLATION¹ — TRADUCTION²]

The Venezuelan Acting Minister of Foreign Affairs to the American Ambassador

REPUBLIC OF VENEZUELA
MINISTRY OF FOREIGN AFFAIRS

No. PI-AI-8160

The Acting Minister of Foreign Affairs presents his compliments to His Excellency the Ambassador of the United States of America, and has the honor to refer to his notes Nos. 350 and 351 of June 16, 1977, regarding the proposed agreement governing the defense services furnished to Venezuela under the Military Assistance Program and the acceptance by his Government of the amendment of Article 3 of the aforesaid proposed agreement which was suggested in note No. PI-AI 4643 of April 28, 1977.

The Acting Minister of Foreign Affairs takes this opportunity to state that the terms of the aforesaid note No. 351 are acceptable to the Government of Venezuela and that this note together with the note from the Embassy constitute an agreement between the two Governments on this subject, effective on this date.

The Acting Minister of Foreign Affairs avails himself of the opportunity to renew to His Excellency the Ambassador of the United States of America the assurances of his highest consideration.

Caracas, June 30, 1977

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

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