No. 767

BELGIUM
and
UNITED STATES OF AMERICA

Mutual defense assistance agreement (with annexes). Signed at Washington, on 27 January 1950

Official texts : French and English.
Registered by Belgium on 19 April 1950.

BELGIQUE
et
ÉTATS-UNIS D'AMÉRIQUE

Accord d'aide pour la défense mutuelle (avec annexes). Signé à Washington, le 27 janvier 1950

Textes officiels français et anglais.
Enregistré par la Belgique le 19 avril 1950.

No. 767. MUTUAL DEFENSE ASSISTANCE AGREEMENT[1] BETWEEN THE GOVERNMENTS OF BELGIUM AND THE UNITED STATES OF AMERICA. SIGNED AT WASHINGTON, ON 27 JANUARY 1950

The Governments of Belgium and the United States of America;

Being parties to the North Atlantic Treaty signed at Washington on April 4, 1949;[2]

Conscious of their reciprocal pledges under Article 3 separately and jointly with the other parties, by means of continuous and effective self-help and mutual aid to maintain and increase their individual and collective ability to resist armed attack;

Desiring to foster international peace and security, within the framework of the Charter of the United Nations through measures which will further the ability of nations dedicated to the purposes and principles of the Charter to participate effectively in arrangements for individual and collective self-defense in support of those purposes and principles;

Reaffirming their determination to give their full cooperation to the efforts to provide the United Nations with armed forces as contemplated by the Charter and to obtain agreement on universal regulation and reduction of armaments under adequate guarantee against violation;

Recognizing that the increased confidence of free peoples in their own ability to resist aggression will advance economic recovery;

Taking into consideration the support that the Government of the United States of America has brought to these principles by enacting the Mutual Defense Assistance Act of 1949 which provides for the furnishing of military assistance to nations which have joined with it in collective security arrangements;

Desiring to set forth the conditions which will govern the furnishing of military assistance by one contracting Government to the other under this Agreement;

Have agreed as follows :

[1] In accordance with article VIII the agreement came into force on 30 March 1950, the date on which the Government of Belgium notified the Government of the United States of America of its ratification by Belgium.

[2] United Nations, *Treaty Series*, Volume 34, page 243.

Article I

1. Each Government, consistently with the principle that economic recovery is essential to international peace and security and must be given clear priority, will make or continue to make available to the other and to such additional Governments as the Parties hereto may in each case agree upon, such equipment, materials, services or other military assistance as the Government furnishing such assistance may authorize and in accordance with such terms and conditions as may be agreed. The furnishing of any such assistance as may be authorized by either Party hereto shall be consistent with the Charter of the United Nations and with the obligations under Article 3 of the North Atlantic Treaty. Such assistance shall be so designed as to promote an integrated defense of the North Atlantic area and to facilitate the development of, or be in accordance with, defense plans under Article 9 of the North Atlantic Treaty approved by each Government. Such assistance as may be made available by the United States of America pursuant to this Agreement will be furnished under the provisions, and subject to all of the terms, conditions, and termination provisions, of the Mutual Defense Assistance Act of 1949, acts amendatory and supplementary thereto and appropriation acts thereunder. The two Governments will from time to time, negotiate detailed arrangements necessary to carry out the provisions of this paragraph.

2. Each Government undertake to make effective use of assistance received pursuant to paragraph 1 of this Article :

(*a*) for the purpose of promoting an integrated defense of the North Atlantic Area, and for facilitating the development of defense plans under Article 9 of the North Atlantic Treaty, and

(*b*) in accordance with defense plans formulated by the North Atlantic Treaty Organization recommended by the North Atlantic Treaty Defense Committee and Council, and agreed to by the two Governments.

3. Neither Government, without the prior consent of the other, will devote assistance furnished to it by the other Government to purposes other than those for which it was furnished.

4. In the common security interest of both Governments, each Government undertakes not to transfer to any person not an officer or agent of such Government or to any other nation title to or possession of any equipment, materials, or services received on a grant basis pursuant to paragraph 1, without the prior consent of the other Government.

Article II

In conformity with the principle of mutual aid, the Government of Belgium agrees to facilitate the production and transfer to the Government of the United States of America, for such period of time, in such quantities and upon such terms and conditions as may be agreed upon, of raw and semi-processed materials required by the United States as a result of deficiencies or potential deficiencies in its own resources, and which may be available in Belgium or territories under its sovereignty. Arrangements for such transfers shall give due regard to reasonable requirements for domestic use and commercial export of Belgium.

Article III

1. Each Government will take appropriate measures consistent with security to keep the public informed of operations under this Agreement.

2. Each Government will take such security measures as may be agreed in each case between the two Governments in order to prevent the disclosure or compromise of classified military articles, services or information furnished by the other Government pursuant to this Agreement.

Article IV

The two Governments will, upon request of either of them, negotiate appropriate arrangements between them respecting responsibility for patent or similar claims based on the use of devices, processes, technological information or other forms of property protected by law in connection with equipment, materials or services furnished pursuant to this Agreement or furnished in the interest of production undertaken by agreement of the two Governments in implementation of pledges of self-help and mutual aid contained in the North Atlantic Treaty. In such negotiations, consideration shall be given to the inclusion of an undertaking whereby each Government will assume the responsibility for all such claims of its nationals and such claims arising in its jurisdiction of nationals of any country not a party to this Agreement.

Article V

1. The Government of Belgium in conjunction with the Government of Luxembourg, undertakes to make available to the Government of the United States of America Belgian and Luxembourg francs for the use of