

No. 26944

**UNITED STATES OF AMERICA
and
SOMALIA**

Exchange of notes constituting an agreement concerning economic and technical cooperation. Mogadiscio, 14 June, 12 and 13 October 1981

Authentic text: English.

Registered by the United States of America on 29 November 1989.

**ÉTATS-UNIS D'AMÉRIQUE
et
SOMALIE**

Échange de notes constituant un accord relatif à la coopération économique et technique. Mogadishu, 14 juin, 12 et 13 octobre 1981

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 29 novembre 1989.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND SOMALIA CONCERNING ECONOMIC AND TECHNICAL COOPERATION

I

The American Ambassador to the Somali Minister of Foreign Affairs

Mogadishu, June 14, 1981

Excellency:

I have the honor to refer to note verbale dated January 14, 1978, which transmitted your Government's agreement for reestablishment of a United States economic assistance program in Somalia. It was further agreed in subsequent discussions with your Government that it was desirable to supplement the note verbale with a formal bilateral agreement on economic and technical cooperation between our two Governments. The proposed text of such agreement follows below.

The Government of the United States of America and the Government of the Somali Democratic Republic have agreed as follows:

1. The Government of the United States will furnish such economic, technical and related assistance hereunder as may be requested or approved by the Government of the Somali Democratic Republic and approved by representatives of the agency designated by the Government of the United States of America to administer its responsibilities hereunder, or as may be requested or approved by other representatives designated by the Government of the United States of America and the Government of the Somali Democratic Republic. The furnishing of such assistance shall be subject to applicable United States laws and regulations. It shall be made available in accordance with arrangements agreed upon between the above-mentioned representatives.

2. The Government of the Somali Democratic Republic will make as full a contribution as may be reasonably permitted by its manpower, resources, facilities, and general economic conditions in furtherance of the purposes for which assistance is made available hereunder; will take appropriate steps to assure the effective use of such assistance; will cooperate with the Government of the United States of America to assure that procurement will be at reasonable prices and on reasonable terms; will, without unreasonable restriction, permit continuous observation and review by United States representatives of programs and operations hereunder, and records pertaining thereto; will use its best efforts to provide the Government of the United States of America with full and complete information as may be reasonably requested concerning such programs and operations and other relevant information which the Government of the United States of America may need to determine the nature of assistance programs and scope of operations and to evaluate the effective-

¹ Came into force on 13 October 1981, the date of the note in reply, in accordance with the provisions of the said notes.

ness of the assistance furnished or contemplated; will permit United States economic and technical assistance personnel to travel freely within the country to carry out their responsibilities under this Agreement; and will make appropriate arrangements to inform the people of Somalia concerning programs and operations hereunder. With respect to cooperative technical assistance programs hereunder, the Government of Somalia will within its means bear a fair share of the costs thereof; will, to the maximum extent possible, seek full coordination and integration of technical cooperation programs being carried on in Somalia; and will cooperate with other nations participating in such programs in the mutual exchange of technical knowledge and skills.

3. The Government of the United States of America and the Government of the Somali Democratic Republic agree that a special mission will be received by the Government of the Somali Democratic Republic to carry out and discharge the responsibilities of the Government of the United States of America under this Agreement. The Government of the United States of America and the Government of the Somali Democratic Republic further agree that the special mission will enjoy the same inviolability of premises as is extended to the diplomatic mission of the United States of America and that the Government of the Somali Democratic Republic shall accord all United States Government employees associated with the special mission (and members of their families forming part of their households), except citizens and permanent residents of the Somali Democratic Republic, full and complete immunity from civil and criminal jurisdiction. The Government of the United States of America will conduct operations hereunder in accordance with the laws of the United States and will endeavor to assure maximum possible compliance with the laws of the Somali Democratic Republic. The Government of the United States of America will also endeavor to assure that the personnel who are covered by this Agreement abstain from involvement in political affairs in Somalia, or in activities inconsistent with this Agreement, it being understood that this provision shall not in any way restrict the normal economic and technical assistance activities of such personnel under this Agreement. The Government of the United States of America will be prepared to discuss such disputes as may arise and, where appropriate, to waive, with respect to any specific act or individual covered by this Agreement, any privilege or immunity granted herein. The Government of the United States of America will remove as promptly as feasible, either on its own initiative or on the request of the Government of the Somali Democratic Republic, any United States Government employee covered by this Agreement who may abuse the privileges or immunities granted herein.

4. In order to assure the maximum benefits to the people of Somalia from the assistance to be furnished hereunder, the following conditions, except as otherwise provided under a specific agreement, shall apply:

a. Any supplies, materials, equipment, property or funds introduced into or acquired in Somalia by the Government of the United States of America or any contractor financed by that Government for purposes of any program or project conducted hereunder shall, while such supplies, materials, equipment, property or funds are used in connection with such a program or project, be exempt from any and all taxes on ownership or use of property and any and all other taxes, investment or deposit requirements, and currency controls in Somalia. The import, export, acquisition, use or disposition of any such supplies, materials, equipment, property or funds in connection with a program or project shall be exempt from any tariffs,