

No. 51049

**United States of America
and
Thailand**

Memorandum of Agreement between the Government of the United States of America and the Government of the Kingdom of Thailand concerning the transfer of equipment and munitions from United States War Reserve Stocks to the Government of the Kingdom of Thailand (with appendices and understanding). Bangkok, 26 November 2002

Entry into force: 26 November 2002 by signature, in accordance with paragraph 12

Authentic texts: English and Thai

Registration with the Secretariat of the United Nations: *United States of America, 15 July 2013*

Only the authentic English and Thai texts of the Memorandum of Agreement, with the corresponding translation into French, are published herein. The appendices, containing lengthy tables of various equipment and munitions, are not published in French herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

**États-Unis d'Amérique
et
Thaïlande**

Mémorandum d'accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement du Royaume de Thaïlande concernant le transfert d'équipement et de munitions des stocks de réserve de guerre des États-Unis au Gouvernement du Royaume de Thaïlande (avec appendices et mémoire d'entente). Bangkok, 26 novembre 2002

Entrée en vigueur : 26 novembre 2002 par signature, conformément au paragraphe 12

Textes authentiques : anglais et thaï

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 15 juillet 2013*

Seuls les textes authentiques anglais et thaï du Mémorandum d'accord, accompagnés de la traduction française, sont publiés ici. Les appendices, contenant une longue liste d'équipements et de munitions, ne sont pas publiés en français ici, conformément aux dispositions du paragraphe 2 de l'article 12 du règlement de l'Assemblée générale destiné à mettre en application l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et à la pratique du Secrétariat en matière de publication.

[ENGLISH TEXT – TEXTE ANGLAIS]

**MEMORANDUM OF AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE KINGDOM OF THAILAND
CONCERNING THE TRANSFER OF EQUIPMENT AND MUNITIONS FROM
UNITED STATES WAR RESERVE STOCKS TO THE GOVERNMENT OF THE
KINGDOM OF THAILAND**

The Government of the United States of America and the Government of the Kingdom of Thailand (hereinafter referred to as “the Parties”), have agreed as follows:

1. The Government of the United States of America shall transfer certain war reserve munitions and related equipment from the United States War Reserve Stock in Thailand (WRS-THAI) to the Government of the Kingdom of Thailand, and, in return, the Government of the Kingdom of Thailand shall provide, as hereinafter described, the Government of the United States of America certain support and services without charge and shall waive any and all claims arising under the Agreement Between the Government of the United States of America and the Government of the Kingdom of Thailand Relating to a War Reserve Stockpile Program in Thailand done at Bangkok, January 9, 1987, as amended, (hereinafter, “the 1987 Agreement”).
2. The munitions and related equipment to be transferred to the Government of the Kingdom of Thailand from the WRS-THAI are listed in Appendix A. Munitions to be removed from the WRS-THAI and retained by the Government of the United States of America are listed in Appendix B.
3. The Government of the United States of America shall:
 - a. Transfer the munitions and related equipment listed in Appendix A to the Government of the Kingdom of Thailand in an “as is, where is” condition. Munitions and related equipment transferred to the Government of the Kingdom of Thailand shall not be considered withdrawn from WRS-THAI by the Government of the United States of America.
 - b. Transfer title to and accountability for the munitions and related equipment listed in Appendix A to the Government of the Kingdom of Thailand within one month after this Memorandum of Agreement enters into force.
 - c. Retain title to and accountability for the WRS-THAI munitions identified in Appendix B to be retrograded from Thailand.
 - d. Complete the retrograde from Thailand of the WRS-THAI munitions identified in Appendix B within three years of the date this Memorandum of Agreement enters into force.

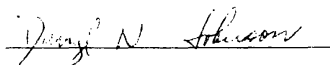
4. The Government of the Kingdom of Thailand shall:
 - a. Within one month after this Memorandum of Agreement enters into force, accept title and accountability to the munitions and related equipment listed in Appendix A in an "as is, where is" condition and provide the Government of the United States of America with a receipt signed by officials of the Government of the Kingdom of Thailand authorized to accept title and accountability on behalf of the Government of the Kingdom of Thailand.
 - b. Not transfer title to, or possession of, the munitions and related equipment listed in Appendix A to anyone who is not an officer, employee or agent of the Government of the Kingdom of Thailand without the express prior written consent of the Government of the United States of America.
 - c. Use or permit the use of the munitions and related equipment listed in Appendix A solely for internal security, for legitimate self-defense, for participation in regional or collective arrangements or for measures consistent with the Charter of the United Nations.
 - d. Maintain the security of the munitions and related equipment listed in Appendix A and provide substantially the same degree of security protection afforded to such articles by the Government of the United States of America.
 - e. Maintain the munitions listed in Appendix B in accordance with Annex I and Annex III of the 1987 Agreement until removed from Thailand.
 - f. Provide without charge all necessary support and services to the Government of the United States of America for the retrograde from Thailand of the munitions listed in Appendix B, including, but not limited to, demilitarization, transportation from the storage facility to the unloading port, and stevedoring and port operations services.
5. In addition, each Party hereby waives any and all claims arising under the 1987 Agreement.
6. No costs incurred by a Party in carrying out the actions or activities described in this Memorandum of Agreement shall be charged to the other Party unless specifically authorized by a provision of this Memorandum of Agreement.
7. Until the transfer of all munitions and related equipment listed in Appendix A and the retrograde of all munitions listed in Appendix B of this Memorandum of Agreement is complete, United States government and contractor personnel shall be admitted to Thailand and shall be granted unimpeded access to the aforementioned munitions for all matters relating to storage, transfer, management, use, maintenance and retrograde of munitions.
8. Upon the entry into force of this Memorandum of Agreement, the United States Government - Royal Thai Government War Reserve Stockpile Program will be terminated. The 1987 Agreement will be superceded except for Annexes I and III to the 1987 Agreement, which shall be incorporated and become an integral part of this Memorandum of Agreement.

9. The obligations of the Parties under this Memorandum of Agreement shall be subject to their respective constitutional and legislative requirements and the availability of funds for such purposes.
10. If all of the munitions listed in Appendix B are not removed from the Kingdom of Thailand within two years and six months from the date this Memorandum of Agreement enters into force, then the Parties will immediately consult to mutually determine disposition of the remaining munitions. This Memorandum of Agreement may be amended by the written mutual agreement of the Parties.
11. Any disagreement regarding the interpretation or application of this Memorandum of Agreement by the Parties shall be resolved by consultation between representatives designated by each Party.
12. This Memorandum of Agreement shall enter into force upon signature by the Parties.

In witness whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Memorandum of Agreement.

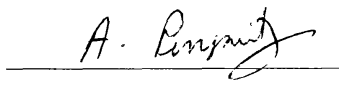
Done at Bangkok, this 26th day of November, 2002, in the English and Thai language, both texts being equally authentic. In case of discrepancies or divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA


Darryl N. Johnson

Ambassador of the United States of
America to the Kingdom of Thailand

FOR THE GOVERNMENT OF
THE KINGDOM OF THAILAND


Vice Admiral Apichart Pengsritong
Director of Joint Logistics

**APPENDIX A: MUNITIONS AND RELATED EQUIPMENT TO BE TRANSFERRED TO
THE GOVERNMENT OF THE KINGDOM OF THAILAND FROM THE WRS - THAI**

APE/KIT	AMN	ITEM	QTY	SHORT TONS	CC CODE
US ARMY AMMUNITION PECULIAR EQUIPMENT WRS-T					
1022M1	4925-AA-102200M	CONVEYOR, 18" WIDE POWERED BELT	2	10.00	F
1044M1	4925-AA-104400M	SYSTEM, MONORAIL CONVEYOR	1	10.00	F
1039	4925-AA-10390000	HOIST ELECTRIC, BSR	2	0.50	F
1052	4925-AA-10520000	KIT, AIR TEST M1	1	0.10	F
1069M1	4925-AA-106900M	BOOTH, 7 FOOT PAINT SPRAY	2	1.85	F
1086	4925-AA-10860000	TANK, HOT DIP PORTABLE	1	0.16	F
1105M2	4925-AA-110500M	MACHINE, SWING BRUSH	1	1.05	F
1128M1	4925-AA-11280000	WRENCH, FUZE WELL LINER	1	0.002	F
1140M2	4925-AA-114000M	REMOVER, FUZE WELL LINER	1	0.003	F
1176	4925-AA-11760000	AMMO PROJECTILE CART	4	0.2	F
1177	4925-AA-11770000	AMMO PROJECTILE CART	4	0.25	F
1204	4925-AA-12040000	VISE, PNEUMATIC	2	0.14	F
1223	4925-AA-12230000	TORQUE FIXTURE M54, M55 & M500 FZ	1	0.02	F
1263	4925-AA-12630000	TORQUING FIXTURE, FUZE BOOSTER	1	0.003	F
2038	4925-AA-20380000	DERUST MACHINE	1	0.02	F
2107-E001	4925-AA-2107E001	FUZE WELL LINER TOOL, KIT REMOTE	1	0.82	F
2168	4925-AA-21680000	DEVICE, PROJECTILE LIFT	2	0.02	F
DODIC	NSN	ITEM	QTY	SHORT TONS	CC CODE
US ARMY Munitions					
B627	1310-00-143-7056	CTG, 60MM ILLUM M83A3	22937	87.61	A
C508	1315-00-926-3989	CTG, 105MM HEAT-T-MP M456	2850	104.50	A
	1315-01-023-7122	CTG, 105MM HEAT-T-MP M456	2004	80.49	A
	1315-01-023-7122	CTG, 105MM HEAT-T-MP M456	408	16.39	E
	Notes :	Termite damage to fibers			
	1315-01-023-7122	CTG, 105MM HEAT-T-MP M456	4182	167.98	A
	1315-01-023-7122	CTG, 105MM HEAT-T-MP M456	10001	396.83	A
			19445		