

No. 3032

**UNITED STATES OF AMERICA
and
IRAQ**

**Exchange of notes constituting an agreement relating to
military assistance. Baghdad, 21 April 1954**

Official texts: English and Arabic.

Registered by the United States of America on 30 November 1955.

**ÉTATS-UNIS D'AMÉRIQUE
et
IRAK**

**Échange de notes constituant un accord d'assistance mili-
taire. Bagdad, 21 avril 1954**

Textes officiels anglais et arabe.

Enregistré par les États-Unis d'Amérique le 30 novembre 1955.

No. 3032. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND IRAQ RELATING TO MILITARY ASSISTANCE. BAGHDAD, 21 APRIL 1954

I

The American Ambassador to the Iraqi Acting Minister of Foreign Affairs

AMERICAN EMBASSY

No. 677

April 21, 1954

Excellency:

I have the honor to refer to the Foreign Office Memorandum of March 1953² requesting the United States Government to provide arms assistance to Iraq, and the Embassy's interim reply of June 1953,³ stating that the United States Government was giving this request careful consideration. I am now pleased to inform you that the United States Government has acted favorably on this request and is prepared to grant military assistance to the Government of Iraq. Such assistance will be provided subject to the provisions of applicable legislative authority and will be related in character, timing and amount to international developments in the area. In addition, it is proposed that any such assistance be provided in accordance with the following terms and such additional arrangements as may from time to time be agreed upon.

1. It is the understanding of my government that the Government of Iraq will use such equipment, materials or services as may be provided solely to maintain its internal security and its legitimate self defense, and that it will not undertake any act of aggression against any other state.

2. My government also understands that the Government of Iraq agrees that it will:

(a) join in promoting international understanding and good will, and maintaining world peace;

(b) take such action as may be mutually agreed upon to eliminate causes of international tension;

(c) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;

¹ Came into force on 21 April 1954 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

(d) take all reasonable measures which may be needed to develop its defense capacities; and

(e) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

3. (a) The Government of Iraq will, consistent with the Charter of the United Nations, furnish to the Government of the United States, or to such other governments as may be agreed upon, such equipment, materials, services in excess of Iraq's own requirements, or other assistance as may be agreed upon in order to increase their capacity for individual and collective self defense and to facilitate their effective participation in the United Nations system for collective security.

(b) The Government of Iraq further understands that the Government of the United States may request the Government of Iraq to facilitate the production and export to the United States, under terms and conditions to be agreed, 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 Iraq. Arrangements for such transfers shall give due regard to reasonable requirements for domestic use and commercial export of Iraq.

4. It is further understood that your Government will not without the prior consent of the Government of the United States, transfer title to or possession of any equipment, materials, information or services furnished, that your Government will protect the security of any items, information or services furnished and that your Government will, upon request, negotiate appropriate arrangements for the protection of patent rights relating to the defense effort.

5. In the mutual interest of both Governments to insure maximum possible realization of the objectives of this agreement, the following arrangements are also proposed:

(a) The Government of Iraq will establish procedures which will protect from attachment, seizure or other legal or administrative process any funds allocated to or derived from any program of assistance undertaken by the Government of the United States.

(b) In accordance with the prevailing laws of Iraq, the Iraq Government will pay all customs duties and dues and local taxes and dues (if any) on equipment and materials imported into Iraq pursuant to Paragraph 1 of this note.

(c) The Government of Iraq will offer for return to the Government of the United States, in accordance with mutually satisfactory procedures, any equipment or materials furnished under this agreement which are no longer required or used exclusively for the purposes stated in Paragraph 1.

(d) The Government of Iraq will receive the personnel of the Government of the United States who will discharge in Iraqi territory the responsibilities of the Government of the United States under this agreement and who will be

accorded facilities and authority to observe the progress of the assistance furnished pursuant to this agreement. The number of personnel assigned under this paragraph will be governed by mutual understanding between the two governments as the program develops. Personnel so assigned will be granted the same status, privileges and immunities as are enjoyed by personnel of United States Technical Missions presently operating in Iraq in accordance with existing agreements.

(e) The Government of Iraq agrees to extend to personnel assigned to Iraq under the terms of the agreement, the same privileges with respect to the import of personal property for their personal use as are accorded personnel assigned to Iraq under the terms of the Technical Co-operation Agreement of April 10, 1951¹, between the United States and Iraq.

(f) The Government of Iraq will, in accordance with the arrangements used to provide facilities and other assistance for experts of United States missions presently operating in Iraq under existing agreements, make available Iraqi dinars for use in covering the expenses of such personnel incurred in Iraq in the course of carrying out the purpose of this agreement.

(g) Each Government will take appropriate measures, consistent with security, to keep the public informed of operations under this agreement.

I have the honor to propose that, if these understandings are acceptable to the Government of Iraq, this note and your note in reply constitute an understanding between our two Governments, effective on the date of your reply, to remain in force until one year after the receipt by either party of written notice of the intention of the other party to terminate it, except that the provisions of Paragraphs 1, 4 and 5 (c) shall remain in force until otherwise agreed by the two Governments.

Accept, Excellency, the renewed assurance of my most distinguished consideration.

Burton Y. BERRY

His Excellency Fadhil Al-Jamali
Acting Minister of Foreign Affairs for the Kingdom of Iraq

¹ United Nations, *Treaty Series*, Vol. 151, p. 179.

[TRANSLATION¹ — TRADUCTION²]

GOVERNMENT OF IRAQ
MINISTRY OF FOREIGN AFFAIRS
PRIVATE BUREAU

No. 500/1120/1120/Kha

Baghdad, April 21, 1954

Your Excellency:

I have the honor to inform Your Excellency of the receipt of Your Excellency's note No. 677 dated April 21, 1954, in reply to the note of the Ministry of Foreign Affairs dated March 21, 1953, in which the Government of Iraq requested military assistance from the Government of the United States. I am pleased to inform you that the Government of Iraq decided with gratitude and appreciation to accept this assistance in accordance with the provisions of Your Excellency's note referred to above.

I have the honor to renew to Your Excellency the assurances of my most respectful consideration.

FADHIL JAMALI

His Excellency Burton Y. Berry
Ambassador Extraordinary and Plenipotentiary
of the United States of America
Baghdad

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

² Traduction du Gouvernement des États-Unis d'Amérique.