

AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE KYRGYZ REPUBLIC
REGARDING COOPERATION TO FACILITATE
THE PROVISION OF ASSISTANCE

The Government of the United States of America and the Government of the Kyrgyz Republic:

Recognizing the interests of the Government of the United States of America and the Government of the Kyrgyz Republic in cooperating to facilitate the provision of humanitarian and technical economic assistance to benefit the people of the Kyrgyz Republic; and

Recognizing the need to make certain practical arrangements to help ensure the effectiveness of that assistance;

Have agreed as follows:

ARTICLE I
TAXES AND OTHER CHARGES

(a) Commodities, supplies or other property provided or utilized in connection with United States assistance programs may be imported into, exported from, or used in the Kyrgyz Republic free from any tariffs, duties, customs duties, import taxes, and other similar taxes or charges imposed by the Kyrgyz Republic, or any subdivision thereof.

(b) Any United States Government or United States private organization that has responsibility for implementing United States assistance programs, and any personnel of such private organization who are not nationals of or ordinarily resident in the Kyrgyz Republic and that are present in the Kyrgyz Republic in connection with such programs, shall be exempt from (1) any income, social security or other taxes imposed by the Kyrgyz Republic, or any subdivision thereof, regarding income received in connection with the implementation of United States assistance programs, and (2) the payment of any tariffs, duties, customs duties, import taxes, and other similar taxes or charges upon personal or household goods imported into, exported from, or used in the Kyrgyz Republic for the personal use of such personnel or members of their families.

(c) The access and movement of aircraft and vessels operated by or for the Government of the United States of America in connection with United States assistance programs in the Kyrgyz Republic shall be free of landing fees, navigation charges, port charges, tolls and similar charges by the Kyrgyz Republic, or any subdivision thereof.

ARTICLE II

STATUS OF PERSONNEL

Civilian and military personnel of the United States Government present in the Kyrgyz Republic in connection with United States assistance programs shall be accorded status equivalent to that accorded administrative and technical staff personnel under the Vienna Convention on Diplomatic Relations of April 18, 1961. Nothing in this Agreement shall be construed to derogate from the privileges and immunities granted to any personnel under other agreements.

ARTICLE III INSPECTION AND AUDIT

Upon reasonable request, representatives of the Government of the United States of America may examine the utilization of any commodities, supplies, other property, or services provided under United States assistance programs at sites of their location or use; and may inspect or audit any records or other documentation in connection with the assistance wherever such records or documentation are located during the period in which the United States provides assistance to the Kyrgyz Republic and for three years thereafter.

ARTICLE IV USE OF ASSISTANCE

Any commodities, supplies, or other property provided under United States assistance programs will be used solely for the purposes agreed upon between the Governments of the United States of America and the Kyrgyz Republic. If use of any commodities, supplies or other property occurs for purposes other than those agreed upon under such programs, which the Government of the United States of America determines could reasonably have been prevented by appropriate action of the Government of the Kyrgyz Republic, the Government of the Kyrgyz Republic upon request shall refund in United States dollars to the Government of the United States of America the amount disbursed for such commodities, supplies, or other property.

The Government of the United States of America may, in its discretion, make available the amount refunded to finance other costs of the assistance activity involved.

ARTICLE V OTHER AGREEMENTS

The Government of the United States of America and the Government of the Kyrgyz Republic recognize that further arrangements or agreements may be necessary or desirable with respect to particular United States assistance activities. In case of any inconsistency between this Agreement and any such further written agreements, the provisions of such further written agreements shall prevail.

ARTICLE VI
ENTRY INTO FORCE

This Agreement shall enter into force upon signature by both parties.

DONE at Washington, this 19th day of May, 1993, in duplicate.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA

/s/ Warren C. Christopher
Secretary of State

FOR THE GOVERNMENT OF
THE KYRGYZ REPUBLIC

/s/ Ednan Karabaev
Minister of Foreign Affairs

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