

30 U.S.T. 7299

TURKEY

Military Assistance: Defense Articles and Services

TIAS 9588

30 U.S.T. 7299

August 15, 1979; August 31, 1979, Date-Signed

August 31, 1979, Date-In-Force

STATUS:

[*1] Agreement effected by exchange of notes
Signed at Ankara August 15 and 31, 1979;
Entered into force August 31, 1979.

[NO LONG-TITLE IN ORIGINAL]

TEXT:

The American Ambassador to the Turkish Minister of Foreign Affairs

No. 379

ANKARA, August 15, 1979

EXCELLENCY:

I have the honor to refer to the recent discussions between representatives of our two governments concerning the United States Military Assistance Program with Turkey during the United States Fiscal Year 1979, and the effect of certain changes in United States Laws applicable to the funding of such programs by the United States. I have the further honor to confirm, on behalf of my Government, the following understandings reached as a consequence of the aforesaid discussions:

1. Subject to the terms and conditions set forth in the Agreement on Aid to Turkey of July 12, 1947 n1 and related agreements between our two governments, and as provided herein, the United States shall grant to the Government of Turkey defense articles and defense services of a value not to exceed \$ 11,837,100 during the United States Fiscal Year 1979. The value of such defense articles and defense services shall be calculated by the United States [*2] in accordance with the provisions of applicable United States Laws and Regulations, including the Foreign Assistance Act of 1961, as from time to time amended, n2 and the Foreign Assistance and Related Programs Appropriations Act, 1979. n3

2. The defense articles and defense services to be furnished pursuant to this agreement shall be furnished in accordance with, and subject to, the United States Laws referred to in paragraph 1, and such successor legislation as may be hereafter enacted. Deliveries of such defense articles, and the performance of such defense services, may be suspended or terminated by the United States under

unusual or compelling circumstances when the national interest of the United States so requires.

3. Selection of particular defense articles or defense services (hereafter in this paragraph referred to collectively as "items"), to be furnished pursuant to this agreement shall be made from time to time by the United States Department of Defense, taking into consideration the requests, if any, of the Ministry of Defense of the Government of Turkey for particular items. The United States Department of Defense may cancel the furnishing of any item, or quantity thereof, [*3] at any time in order to recoup funds sufficient to pay any net increases in costs to the United States of the aggregate of selected items within the dollar value specified in paragraph 1. In effecting such recoupments, the United States Department of Defense will take into consideration the views, if any, of the Ministry of Defense of the Government of Turkey as to which items or quantities thereof should be cancelled.

4. In accordance with the requirements of the Foreign Assistance Act of 1961, as amended--

(A) Title to defense articles to be furnished to the Government of Turkey pursuant to this agreement must be transferred to the Government of Turkey on or before September 30, 1980, and defense services to be performed pursuant to this agreement must be performed not later than September 30, 1980;

(B) Defense articles to which the United States obtains or retains title after September 30, 1980, will not be furnished pursuant to this agreement, and defense services not performed on or before September 30, 1980 will not be performed pursuant to this agreement. The obligations of the United States with respect to the furnishing of such articles and services pursuant to this agreement [*4] shall cease as of October 1, 1980; and

(C) Delivery of defense articles furnished pursuant to this agreement to the Government of Turkey must commence on or before September 30, 1980 if such delivery is to be financed from United States military assistance funds. Delivery of such articles after that date shall be at the expense of the Government of Turkey.

-----Footnotes-----

n1 TIAS 1629; 61 Stat. 2953.

n2 75 Stat. 424; 22 U.S.C. § 2151 note.

n3 92 Stat. 1591.

-----End Footnotes-----

I have the honor to propose that this note, together with Your Excellency's note confirming the acceptance of the Government of Turkey of the foregoing understandings, shall constitute an agreement between our two governments with respect to the United States military assistance program for the United States fiscal year 1979, effective from the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

The Turkish Minister of Foreign Affairs to the American Ambassador

[FOREIGN [*5] LANGUAGE TEXT OMITTED] n1

-----Footnotes-----

n1 In translation reads: "Republic of Turkey Ministry of Foreign Affairs"

-----End Footnotes-----

No. 3869

Ankara, 31 August 1979

Excellency,

I have honor to acknowledge receipt of the Embassy's Note No. 379 dated 15 August 1979 referring to the U.S. Program of Military Assistance to Turkey.

I wish to inform Your Excellency that the Turkish Government gives Its agreement to the proposals of the Government of The United States contained in the above mentioned Note.

Please accept, Mr. Ambassador, the assurances of my highest consideration.

SIGNATORIES:

RONALD SPIERS

His Excellency,

GUNDUZ OKCUN, *Minister of Foreign Affairs of the Republic of Turkey, Ankara.*

For the Minister of Foreign Affairs

Faruk Sahinbas.

His Excellency

Mister Ronald Spiers

Ambassador of the United States of America

Ankara