

**DEFENSE**

**Assistance**

**Agreement Between the  
UNITED STATES OF AMERICA  
and ETHIOPIA**

Effected by Exchange of Notes at  
Addis Ababa February 2 and 6, 1998

Entered into force February 6, 1998



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia and has the honor to refer to the earlier discussions between representatives of the two governments regarding the furnishing of commodities, services, and related training by the Government of the United States for peacekeeping and humanitarian purposes, including for improving the existing capacity of the Government of the Federal Democratic Republic of Ethiopia to respond to peacekeeping contingencies or humanitarian crises.

In accordance with these discussions, it is proposed that the Government of the Federal Democratic Republic of Ethiopia agree:

A. That the Government of the Federal Democratic Republic of Ethiopia shall not, unless the consent of the Government of the United States of America has first been obtained:

(1) Permit the use of any such commodities, services or related training by anyone not an officer, employee or agent of the Government of the Federal Democratic Republic of Ethiopia;

(2) Transfer or permit any officer, employee or agent of the Government of the Federal Democratic Republic of Ethiopia to transfer such commodities, services or related training by gift, sale or otherwise; or

(3) Use or permit the use of such commodities, services or related training for purposes other than those for which furnished.

B. That said commodities shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition.

C. That the Government of the Federal Democratic Republic of Ethiopia shall maintain the security of such commodities, services or training; that it shall provide substantially the same degree of security protection afforded such commodities, services or related training by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Federal Democratic Republic of Ethiopia.

The Ministry's reply stating that the foregoing is acceptable to the Government of the Federal Democratic Republic of Ethiopia shall, together with this note and attachment, constitute an agreement between the two

governments, which shall enter into force on the date of the Ministry's reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia the assurances of its highest consideration.

Embassy of the United States of America

Addis Ababa, February 2, 1998



ATTACHMENT: Letter, Embassy of the United States of America, February 2, 1998

CC: Ato Hiruy Amanuel, Director General,  
European and American Directorate General,  
Ministry of Foreign Affairs



Addis Ababa, Ethiopia

February 2, 1998

His Excellency  
Ato Seyoum Mesfin  
Minister of Foreign Affairs  
Federal Democratic Republic of Ethiopia  
Addis Ababa

Dear Mr. Minister:

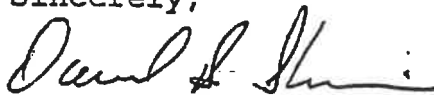
During our discussion on the Agreement relating to the furnishing of commodities, services, and related training, in conjunction with participation in the Africa Crisis Response Initiative (ACRI), questions were raised by your Government regarding its implementation. I wish to confirm our understanding of the following:

1. The Government of the United States of America does not object to the use of the commodities, services or related training for purposes of peacekeeping contingencies or humanitarian crises, preparation for peacekeeping contingencies or humanitarian crises, or training activities by the Ethiopian military that contribute to the ability of Ethiopian military personnel to serve effectively in peacekeeping contingencies or humanitarian crises.
2. The Government of the United States fully intends to give consideration to proposals made by the Government of the Federal Democratic Republic of Ethiopia concerning the disposition or sale of said commodities.
3. The provision in the Agreement relating to the degree of security to be provided by the Government of the Federal Democratic Republic of Ethiopia is not intended to impose unrealistic or costly demands on Ethiopia. The Government of the United States of America recognizes that the methods and capabilities of countries vary in regard to the security each can provide; and recognizes that the Government of the Federal Democratic Republic of Ethiopia need not protect these items in the same manner as would the Government of the United States of America in order to comply with the Agreement.
4. The provision regarding "continuous observation and review" should, in practice, be carried out by both countries in a cooperative and acceptable manner to attain our mutual objective of ensuring the most efficient, effective and proper use of the commodities, services and related training provided. This

provision is not intended to impose cumbersome or intrusive demands upon the Government of the Federal Democratic Republic of Ethiopia.

With these understandings, I believe that the Agreement can be implemented in a mutually satisfactory manner.

Sincerely,

A handwritten signature in cursive script, appearing to read "David H. Shinn".

David H. Shinn  
Ambassador



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Federal Democratic Republic of Ethiopia  
MINISTRY OF FOREIGN AFFAIRS

ቀን 06 FEB 1998  
Date

ቁጥር 2-78/33/5/98  
No.

The Ministry of Foreign Affairs of The Federal Democratic Republic of Ethiopia presents its compliments to the Embassy of the United States of America and has the honour to refer to its Note Ref. No.049 dated February 2, 1998 regarding the furnishing of commodities, services, and related training by the Government of the United States for peacekeeping and humanitarian purposes, including for improving the existing capacity of the Government of the Federal Democratic Republic of Ethiopia to respond to peacekeeping contingencies or humanitarian crises.

In this regard the Ministry wishes to inform the Embassy that the Federal Democratic Republic of Ethiopia agrees to the proposal of the Embassy in the above mentioned note

A. That the Government of the Federal Democratic Republic of Ethiopia shall not, unless the consent of the Government of the United States of America has first been obtained:

1) Permit the use of any such commodities, services or related training by anyone not an officer, employee or agent of the Government of the Federal Democratic Republic of Ethiopia;

2) Transfer or permit any officer, employee or agent of the Government of the Federal Democratic Republic of Ethiopia to transfer such commodities, services or related training by gift, sale or otherwise; or



- 3) Use or permit the use of such commodities, services or related training for purposes other than those for which furnished.
- B. That said commodities shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition.
- C. That the Government of the Federal Democratic Republic of Ethiopia shall maintain the security of such commodities, services or training; that it shall provide substantially the same degree of security protection afforded such commodities, services or related training by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by , and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Federal Democratic Republic of Ethiopia.

The Ministry further affirms that this Note, together with the proposal of the Embassy and attachment, constitute an agreement between the two governments, which shall enter into force on the date of the Ministry's reply.

The Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration. *HST*

*The Embassy of the United States  
of America  
Addis Ababa*

