

**1. The Anglo-American Mutual Defence
Assistance Agreement
27 JANUARY 1950
(...)**

*The Anglo-American Mutual Defence Assistance Agreement under the North Atlantic Treaty was signed in Washington on Jan. 27, similar bilateral agreements being signed the same day between the U.S.A. and France, Italy, Denmark, Norway, Belgium, the Netherlands, and Luxemburg. The text of the agreements was released in Washington and the other capitals concerned the same day, that of the Anglo-American agreement being as follows:
(...)*

The Governments of the U.S.A. and the U.K., being parties to the North Atlantic Treaty signed at Washington on April 4, 1949; considering. their reciprocal pledges under Art. 3 of the North Atlantic Treaty separately and jointly with the other parties, by means of continuous and effective self-help and mutual aid, to maintain and develop their individual and collective capacity to resist armed attack; desiring to foster international peace and security, within the framework of the U.N. Charter, through measures which will further the ability of nations dedicated to the purposes and principles of the Charter to participate effectively in arrangements for individual and collective self-defence in support of those purposes and principles; reaffirming their determination to give full co-operation to the efforts to provide the U.N. with armed forces as contemplated by the Charter, and to obtain agreement to universal regulation of armaments under adequate guarantee against violation; recognizing that the increased confidence of free peoples in their own ability to resist aggression will advance economic recovery; taking into consideration the support that has been brought to these principles by the U.K. Government in affording military assistance to other parties of the North Atlantic Treaty, and by the U.S. Government in enacting the Mutual Defence Assistance Act of 1949 which provides for the furnishing of military assistance to nations which have joined with It in collective security arrangements; desiring to set forth the conditions which will govern the furnishing of military assistance by one contracting Government to the other under this agreement; have agreed as follows:

Article 1

(1) Each Government, consistently with the principle that economic recovery is essential to international peace and security and must be given clear priority, and in accordance with its obligations under Art. 3 of the North Atlantic Treaty, will make available to the other such equipment, materials, services, or other military assistance as the Government furnishing such

assistance may authorize, in accordance with detailed arrangements from time to time to be made between them.

The U.K. Government in fulfilment of its obligations under Art. 3 of the North Atlantic Treaty, will furnish or continue to furnish to other parties to the Treaty such equipment, materials, services, or other military assistance as it may authorize.

The furnishing of assistance by the U.S. Government will be under the provisions of the Mutual Defence Assistance Act of 1949, Acts amendatory and supplementary thereto, and appropriation Acts thereunder.

(2) Such assistance shall be so designed as to promote the integrated defence of the North Atlantic area and to facilitate the development of, or be in accordance with, defence plans under Art. 9 of the North Atlantic Treaty approved by each contracting Government.

Article 2

(1) Each Government undertakes to make effective use of assistance received pursuant to Art. 1 of this agreement:

- (a) for the purpose of promoting an integrated defence of the North Atlantic area, and for facilitating the development of defence plans under Art. 9 of the North Atlantic Treaty; and
- (b) In accordance with defence plans formulated by the North Atlantic Treaty Organization, recommended by the North Atlantic Treaty Council and Defence Committee, and agreed to by the two Governments.

(2) Neither Government, without the prior consent of the other, will devote assistance furnished to it by the other to purposes other than those for which it was furnished.

Article 3

In the common security interest of both Governments, each Government undertakes not to transfer to any person not an officer or agent of such contracting Government, or to any other nation, title to or possession of any equipment, materials, or services, furnished on a grant basis, without the prior consent of the Government furnishing such equipment, materials, or services.

Article 4

The provisions of Art. 5 of the Economic Co-operation Agreement, signed in London on July 6, 1948, shall be regarded as an Integral part of this agreement (this Article referred to U.S. stockpiling purchases of strategic materials-see 9361 A).

Article 5

(1) Each Government will take such security measures as may be agreed between the two Governments in order to prevent the disclosure or compromise of any classified military articles, services, or information furnished by the other Government pursuant to this agreement.

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

Article 6

The two Governments will negotiate appropriate arrangements between them respecting responsibility for claims for the use or infringement of inventions covered by patents or patent applications, trade-marks, copy-devices, processes, or technological information in connexion with equipment, materials, or services furnished pursuant to this agreement, or furnished in the interests of production undertaken by agreement between the two Governments in implementation of the pledges of self-help and mutual aid contained in the North Atlantic Treaty.

Article 7

(1) Subject to the provision of the necessary appropriations, the U.K. Government will make available to the U.S. Government sterling for the use of the latter Government for its administrative expenditures within the U.K. in connexion with assistance furnished by the U.S. Government to the U.K. Government under this agreement.

(2) The two Governments will initiate forthwith discussions with a view to determining the amount of such sterling and agreeing upon arrangements for the furnishing of such sterling.

Article 8

(1) Except as otherwise agreed, the U.K. Government will grant exemption from custom duties and other taxes on importation, and also from taxes on exportation, in respect of goods owned by the U.S. Government and imported by it into the U.K. as assistance under this agreement, or as assistance under any similar agreement between the U.S.A. and any other party to the North Atlantic Treaty.

(2) Goods imported under this exemption may not be disposed of by way of sale or gift in the country into which they have been Imported, except to a

Government party to the North Atlantic Treaty, or under conditions agreed with the Government of the country into which they have been imported.

Article 9

(1) Each Government agrees to receive personnel of the other who will discharge in its territories the responsibilities of the latter Government under this agreement, and will be accorded facilities to observe the progress of assistance furnished in pursuance of this agreement.

(2) Such personnel will, in their relations to the Government of the country to which they are assigned, operate as part of the Embassy under the direction and control of the chief of the diplomatic mission of the Government which they are serving.

(3) The U.K. Government will, upon appropriate notification from the U.S. Ambassador, consider such personnel as part of the U.S. Embassy in the U.K. for the purpose of enjoying the privileges and immunities accorded to that Embassy and its personnel of comparable rank.

Article 10

The furnishing of any assistance under this agreement shall be consistent with the obligations of the two Governments under the U.N. Charter and under Art. 3 of the North Atlantic Treaty.

Article 11

(1) The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this agreement or to operations or arrangements carried out pursuant to it.

(2) The terms of this agreement shall at any time be reviewed at the request of either Government.

Such review shall take into account, where appropriate, agreements concluded by either Government in connexion with the carrying out of Art. 9 of the North Atlantic Treaty.

(3) This agreement may be amended at any time by agreement between the two Governments.

Article 12

(1) The agreement shall enter into force on notification to the U.S. Government by the U.K. Government of its acceptance thereof.

(2) The agreement will terminate one year after the receipt of notification by either Government of the intention of the other to terminate it.

(3) The Annexes to this agreement form an integral part thereof.

The agreement contained the following 11 Annexes.

Annex A confirmed the undertaking of the two Governments during the negotiations that either Government should be free at any time to suspend or terminate the furnishing of assistance under Art. 1.

Annex B made it clear

- (a) that Britain would not be obliged to use each item supplied by the U.S.A. for the purposes outlined in Art. 2 if this could be done with a similar or alternative item not supplied by the U.S.A.;
- (b) that the U.S. Government would not refuse under Art. 3 to allow materials to be used outside the North Atlantic Treaty area simply because some raw materials involved in the manufacture of that material had been obtained from the U.S.A.

Annex C enables Britain to consult with Colonial territories regarding the supply to the U.S.A. of such strategic materials as rubber from Malaya under Art. 4.

Annex D laid down in detail certain matters to be considered in Anglo-U.S. negotiations on patent rights provided for in Art. 7.

Annex E confirmed that the arrangements for each country to provide local currency for the administrative expenses of the country sending aid would be reciprocal.

Annex F stated the expenditure of local currency in Britain by U.S. officials should not exceed £53,500 sterling.

Annexes G and H provided that the transfer of goods under the programme would be free of customs duty, whilst in Annex I both Governments agreed that the facilities to be accorded to mutual defence officials in the country receiving aid "shall be reasonable and not unduly burdensome upon the Government according such facilities.

Annex J stated that the U.S. Government would bear in mind the desirability of restricting the number of officials for whom diplomatic privilege would be requested, and Annex K laid down that all privileges available to each country under the bilateral agreement would also be available to all other signatories of such agreements.
