

LEND-LEASE ¹

*Agreement and exchange of notes signed at Washington August 9, 1943
Entered into force August 9, 1943*

57 Stat. 1043; Executive Agreement Series 334

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND ETHIOPIA ON THE PRINCIPLES APPLYING TO MUTUAL AID IN THE PROSECUTION OF THE WAR AGAINST AGGRESSION

Whereas the Governments of the United States of America and Ethiopia declare that they are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations;

And whereas the Government of the United States of America as a signatory of the Declaration by United Nations of January 1, 1942² and the Government of Ethiopia as an adherent to that Declaration have subscribed to a common program of purposes and principles embodied in the Joint Declaration made on August 14, 1941 by the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, known as the Atlantic Charter;³

And whereas the President of the United States of America has determined, pursuant to the Act of Congress of March 11, 1941,⁴ that the defense of Ethiopia against aggression is vital to the defense of the United States of America;

And whereas the United States of America has extended and is continuing to extend to Ethiopia aid in resisting aggression;

And whereas it is expedient that the final determination of the terms and conditions upon which the Government of Ethiopia receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the defense aid is known and until the progress of events makes clearer the final terms and conditions and bene-

¹ See also lend-lease settlement agreement of May 20, 1949 (TIAS 1931), *post*, p. 678.

² EAS 236, *ante*, vol. 3, p. 697.

³ EAS 236, *ante*, vol. 3, p. 686.

⁴ 55 Stat. 31.

fits which will be in the mutual interests of the United States of America and Ethiopia and will promote the establishment and maintenance of world peace;

And whereas the Governments of the United States of America and Ethiopia are mutually desirous of concluding now a preliminary agreement in regard to the provision of defense aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions and the making of such an agreement has been in all respects duly authorized, and all acts, conditions and formalities which it may have been necessary to perform, fulfil or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of Ethiopia have been performed, fulfilled or executed as required;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

The Government of the United States of America will continue to supply the Government of Ethiopia with such defense articles, defense services, and defense information as the President of the United States of America shall authorize to be transferred or provided.

ARTICLE II

The Government of Ethiopia will continue to contribute to the defense of the United States of America and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply.

ARTICLE III

The Government of Ethiopia will not without the consent of the President of the United States of America transfer title to, or possession of, any defense article or defense information transferred to it under the Act of March 11, 1941 of the Congress of the United States of America or permit the use thereof by anyone not an officer, employee, or agent of the Government of Ethiopia.

ARTICLE IV

If, as a result of the transfer to the Government of Ethiopia of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of Ethiopia will take such action or make such payment when requested to do so by the President of the United States of America.

ARTICLE V⁵

The Government of Ethiopia will return to the United States of America at the end of the present emergency, as determined by the President of the United States of America, such defense articles transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

ARTICLE VI

In the final determination of the benefits to be provided to the United States of America by the Government of Ethiopia full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Government of Ethiopia subsequent to March 11, 1941, and accepted or acknowledged by the President on behalf of the United States of America.

ARTICLE VII⁵

In the final determination of the benefits to be provided to the United States of America by the Government of Ethiopia in return for aid furnished under the Act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and Ethiopia, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce; to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded Governments.

ARTICLE VIII

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

⁵ For an understanding with respect to arts. V and VII, see exchange of notes, p. 671.

Signed and sealed at Washington in duplicate this ninth day of August, 1943.

For the Government of the United States of America:

CORDELL HULL [SEAL]

Secretary of State of the United States of America

For the Government of Ethiopia:

Y. DERESSA [SEAL]

Vice-Minister of Finance of Ethiopia

EXCHANGE OF NOTES

The Secretary of State to the Ethiopian Vice Minister of Finance

DEPARTMENT OF STATE

WASHINGTON

August 9, 1943

EXCELLENCY:

I have the honor to refer to the conversations that have occurred between the representatives of our two Governments in connection with the agreement signed at Washington on this day, between the Government of the United States of America and the Government of Ethiopia on the principles applying to aid under the Act of March 11, 1941, and to set forth my understanding of the accord reached with particular reference to Articles V and VII of the agreement as follows:

1. It is agreed that if substantial amounts of materials or assistance furnished or to be furnished under the Act of March 11, 1941 or otherwise, by any Agency of the United States Government without current payment by the Government of Ethiopia have been or shall be employed by either of our two Governments, during the present war, in the construction of any installations on Ethiopian territory, the disposition of such installations remaining on Ethiopian territory after the present war shall be governed by an agreement or agreements to which both our Governments shall be parties. Such agreement or agreements shall make appropriate provision for the future ownership and operation of the installation or installations in question, and for the payments or other benefits to be received by the Government of the United States on account of its contribution to their cost. The governing purpose of such agreement or agreements shall be to carry out in practice, in whatever way may then appear to be most effective, the principles of the Joint Declaration of August 14, 1941, known as the Atlantic Charter, and in particular point Fourth thereof relating to the enjoyment by all States of access on equal terms to the trade and to the raw materials of the world.

If such agreement in the case of any installation is not reached within a reasonable time after the end of the present emergency, as determined by the President of the United States of America, the Government of the United States may withdraw that installation, or the parts thereof which it shall have contributed, whether located on private or on public land, doing no unnecessary damage in the process, and leaving the land involved in a safe condition.

2. The other obligations of our two Governments in respect of mutual aid will be satisfied in accordance with the provisions of the agreement signed this day.

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

CORDELL HULL
*Secretary of State of the
United States of America*

His Excellency
YILMA DERESSA,
*Vice-Minister of Finance of Ethiopia,
Washington, D.C.*

The Ethiopian Vice Minister of Finance to the Secretary of State

WASHINGTON
August 9, 1943

SIR:

I have the honor to refer to the conversations that have occurred between the representatives of our two Governments in connection with the agreement signed at Washington on this day, between the Government of Ethiopia and the Government of the United States of America on the principles applying to aid under the Act of March 11, 1941, and to set forth my understanding of the accord reached with particular reference to Articles V and VII of the agreement as follows:

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future ownership and operation of the installation or installations in question, and for the payments or other benefits to be received by the Government of the United States on account of its contribution to their cost. The governing purpose of such agreement or agreements shall be to carry out in practice, in whatever way may then appear to be the most effective, the principles of the Joint Declaration of August 14, 1941, known as the Atlantic Charter, and in particular point Fourth thereof relating to the enjoyment by all States of access on equal terms to the trade and to the raw materials of the world. If such agreement in the case of any installation is not reached within a reasonable time after the end of the present emergency, as determined by the President of the United States of America, the Government of the United States may withdraw that installation, or the parts thereof which it shall have contributed, whether located on private or on public land, doing no unnecessary damage in the process, and leaving the land involved in a safe condition.

2. The other obligations of our two Governments in respect of mutual aid will be satisfied in accordance with the provisions of the agreement signed this day.

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

Y. DERESSA
*Vice-Minister of Finance
of Ethiopia*

The Honorable
CORDELL HULL,
*Secretary of State,
Washington, D.C.*