

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

The Government of the United States of America and the Government of the Republic of Belarus (hereinafter referred to as the "Parties"):

Being guided by a mutual desire to cooperate in facilitating the provision of humanitarian and technical assistance in support of market economic and democratic reforms to benefit the people of the Republic of Belarus;

Recognizing that the Government of the Republic of Belarus appreciates the humanitarian and technical assistance and notes the important positive role that nongovernmental organizations of the United States of America can play in providing such assistance;

Recognizing that full cooperation between the Parties will be aimed at the effective use of such assistance;

Understanding that for purposes of this Agreement, "United States assistance programs" shall mean assistance programs of the Government of the United States of America; and that such programs are approved by the Government of the Republic of Belarus under this framework Agreement;

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 Republic of Belarus free from any tariffs, dues, customs duties, import taxes, and other similar taxes or charges imposed by the Republic of Belarus. The Parties understand that the provisions of this paragraph provide an exemption from the imposition of any such taxes and charges, including value-added taxes, on purchases made in Belarus for the purpose of implementing the United States assistance programs.

(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 Republic of Belarus and that are present in the Republic of Belarus in connection with such programs, shall be exempt from (1) any income, social security or other taxes imposed by the Republic of Belarus, regarding income received in connection with the implementation of United States assistance programs, and (2) the payment of any tariffs, dues, customs duties, import taxes, and other similar taxes or charges upon personal or household goods imported into, exported from, or used in the Republic of Belarus 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 Republic of Belarus shall be free of landing fees, navigation charges, port charges, tolls and similar charges imposed by the Republic of Belarus.

ARTICLE II
STATUS OF PERSONNEL

Personnel of the United States Government present in the Republic of Belarus 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 to which personnel are otherwise entitled.

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 and all records or other documentation in connection with the assistance during the period in which the United States provides assistance to the Republic of Belarus and for three years after the particular assistance has been provided. The Parties shall agree upon specific procedures or requirements for inspection and audit of assistance provided directly to the Government of the Republic of Belarus before such assistance is provided.

ARTICLE IV
USE OF ASSISTANCE

Any commodities, supplies, or other property provided under United States assistance programs will be used for the purposes agreed upon by the Government of the United States of America and the recipient of the assistance in the Republic of Belarus. If use of any commodities, supplies or other property occurs for purposes other than those agreed upon under such programs, which could reasonably have been prevented by appropriate action of the Government of the Republic of Belarus, the Government of the Republic of Belarus 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 Parties 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
APPLICATION

This Agreement shall apply to the administrative subdivisions of the Republic of Belarus.

ARTICLE VII
AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties in writing.

ARTICLE VIII
ENTRY INTO FORCE

(a) This Agreement shall be applied provisionally from the date of its signature by the Parties. Each party shall notify the other in writing of the completion of the procedures

required in its territory for the entry into force of this Agreement. This Agreement shall enter into force on the date of the latter of the two notifications

(b) This Agreement may be terminated by either party upon 90 days' prior written notice delivered to the other party. In such event, the provisions of this Agreement shall continue to apply with respect to assistance furnished before the date of termination of this Agreement.

DONE at Minsk, this 18th day of July, 1996, in duplicate, in the English and Belarusian languages, both texts being equally authentic.

FOR THE GOVERNMENT OF

THE UNITED STATES OF AMERICA:

/s/KENNETH S. YALOWITZ

Kenneth S. Yalowitz

Ambassador

United States Embassy

Minsk, Republic of Belarus

THE REPUBLIC OF BELARUS:

/s/MIKHAIL AFANASIEVICH MARINICH

Mikhail Afanasievich Marinich

Minister of Foreign Economic Relations

Republic of Belarus.