

CIVIL AFFAIRS, EMERGENCIES AND DEFENSE

Evacuation

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

Effected by Exchange of Notes at
Kuwait City August 22, 2021

Entered into force August 22, 2021



STATE00131

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.”

No. 1017

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the State of Kuwait and has the honor to thank the Government of Kuwait for its extraordinary efforts to facilitate the safe evacuation of Americans from Afghanistan.

The Embassy requests assistance in receiving 5,000 Afghan evacuees in Kuwait, and facilitating their stay and life support for a period of up to 14 days at appropriate facilities. The Embassy confirms these evacuees will transit onward within 14 days of their arrival in Kuwait.

The Embassy has the honor to refer the Ministry to Deputy Chief of Mission, Mr. James Holtsnider, phone 2259-1362, email HoltsniderJW@state.gov as its point of contact for this subject.

The Embassy of the United States avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the State of Kuwait the assurances of its highest consideration.

Embassy of the United States of America,

August 22, 2021



DIPLOMATIC NOTE

STATE00133



تهدي وزارة الخارجية أطيب تحياتها إلى سفارة الولايات المتحدة الأمريكية الصديقة لدى دولة الكويت

بالإشارة الى مذكرة السفارة رقم 1017 بتاريخ 22 أغسطس 2021 والمتضمنة طلب الولايات المتحدة الامريكية المساعدة في تسهيل عبور عدد من المواطنين الأفغان وعوائلهم إلى الولايات المتحدة الامريكية عبر إقليم دولة الكويت. فإن دولة الكويت توافق على الطلب المذكور أعلاه، وفق ما يلي:

- 1- توافق دولة الكويت على عبور عدد لا يتجاوز (5000) من المواطنين الأفغان إلى الولايات المتحدة الامريكية عبر إقليم دولة الكويت.
- 2- تتعهد الولايات المتحدة الأمريكية بأن لا تتجاوز مدة بقاء المواطنين الأفغان بحد أقصى (14) يوم على إقليم دولة الكويت حيث يلتزم الجانب الأمريكي بمغادرتهم بعد هذه المدة ولا يجوز تمديدها بأي حال من الأحوال.
- 3- تلتزم الولايات المتحدة الامريكية بتقديم كافة البيانات والمعلومات التي تمكن الجانب الكويتي من حصر المواطنين الأفغان والتحقق من مغادرتهم لأراضي دولة الكويت.
- 4- يخضع جميع المواطنين الأفغان المشمولين في هذه الترتيبات للتفتيش والتدقيق الأمني وفقاً للإجراءات المتبعة لدى السلطات المختصة في دولة الكويت.
- 5- يقتصر تواجد المواطنين الأفغان وعوائلهم في معسكر بيورينغ " Camp Buehring" ولا يجوز لهم مغادرته بأي حال من الأحوال.
- 6- تقوم الولايات المتحدة الامريكية بتوفير التسهيلات اللازمة لإقامة المواطنين الأفغان من سكن واغاثة وغذاء ورعاية طبية طارئة خلال فترة العبور.

Ministry of Foreign Affairs



وزارة الخارجية

- 7- يتعاون الجانبان لضمان استيفاء المواطنين الأفغان وعوائلهم الاشتراطات الصحية المطبقة في دولة الكويت بما في ذلك الفحوصات اللازمة لـ (Covid-19) وذلك قبل أو عند وصولهم إلى دولة الكويت.
- 8- يتفق الجانبان بشأن التدابير اللازمة لضمان النظام والأمن في الأماكن المحددة للعبور.
- 9- لأغراض هذه الترتيبات يخضع المواطنون الأفغان خلال فترة عبورهم على إقليم دولة الكويت للقوانين الكويتية وتحفظ دولة الكويت بحقها في ممارسة صلاحياتها القانونية اللازمة لتنفيذ القانون.
- 10- يقوم الجانبان بالتنسيق فيما بينهما بشأن التسهيلات التي توفرها دولة الكويت للمواطنين الأفغان خلال فترة عبورهم في دولة الكويت.

إذا كانت الترتيبات السابقة مقبولة لحكومة الولايات المتحدة الأمريكية فإن هذه المذكرة ورد الجانب الأمريكي عليها يشكل اتفاقاً بين الجانبين ويكون سارياً من تاريخ رد الجانب الأمريكي عليها.

وتنتهز وزارة الخارجية هذه المناسبة لتعرب للسفارة عن فائق تقديرها واحترامها ،،،

-إلى: سفارة الولايات المتحدة الأمريكية الصديقة لدى دولة الكويت -



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Ministry of Foreign Affairs

The Ministry of Foreign Affairs presents its best regards to the friendly Embassy of the United States of America to the State of Kuwait.

With reference to the embassy note No. 1017 dated August 22, 2021, which includes the request of the United States of America to assist in facilitating the transit of a number of Afghan citizens and their families to the United States of America through the territory of the State of Kuwait.

The State of Kuwait agrees to the above-mentioned request as follows:

1. The State of Kuwait approves the transit of a number not exceeding 5,000 Afghan citizens to the United States through the territory of the State of Kuwait.
2. The United States undertakes that the period of stay of Afghan citizens on the territory of the State of Kuwait shall not exceed a maximum of 14 days. The American side shall be obligated to deport them after this period, which cannot be extended in any way.
3. The United States is obligated to provide all data and information that enable the Kuwaiti side to identify Afghan citizens and verify their departure from the territory of the State of Kuwait.
4. All Afghan citizens included in these Arrangements shall be subject to security inspection and screening in accordance with the procedures followed by the competent authorities in the State of Kuwait.
5. The presence of Afghan citizens and their families shall be restricted to "camp Buehring" and they may not leave it in any way.
6. The United States shall provide the necessary facilities to accommodate the Afghan citizens, including housing, relief, food, and emergency medical care during the transit period.
7. Both Sides shall cooperate to ensure that Afghan citizens and their families meet the health requirements applicable in the State of Kuwait, including necessary tests for COVID-19, before or upon arrival to the State of Kuwait.

8. Both Sides shall agree on the necessary procedures to ensure order and security at the specified transit locations.
9. For the purposes of these Arrangements, Afghan citizens shall be subject to the Kuwaiti laws during the period of their transit through the territory of the State of Kuwait. The State of Kuwait shall reserve the right to exercise its necessary legal jurisdiction to enforce the law.
10. Both Sides shall coordinate with each other regarding the facilities provided by the State of Kuwait to the Afghan citizens during their transit in the State of Kuwait.

If the foregoing Arrangements are acceptable to the Government of the United States, this note, and the United States note in reply, shall constitute an agreement between the two Sides, which shall enter into force on the date of the United States note in reply.

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

- TO: The Embassy of the United States of America in the State of Kuwait

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[Official Seal: Ministry of Foreign Affairs]
[Office of the Deputy of the Minister of Foreign Affairs]
No. 0813
2921
Date: August 22, 2021]

[Emblem of Ministry of Foreign Affairs]

[Signature]



No. 1018

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the State of Kuwait and has the honor to thank the Government of Kuwait for its extraordinary support to U.S. evacuation operations from Afghanistan.

The Embassy gratefully accepts the Kuwaiti offer of assistance to receive up to 5,000 Afghan evacuees for a maximum of 14 days in Kuwait, and accepts the terms outlined in the Note Verbale 0813.

The Embassy has the honor to refer the Ministry to Deputy Chief of Mission, Mr. James Holtsnider, phone 2259-1362, email HoltsniderJW@state.gov as its point of contact for this subject.

The Embassy of the United States avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the State of Kuwait the assurances of its highest consideration.

Embassy of the United States of America,
August 22, 2021



DIPLOMATIC NOTE

STATE00138