

## **DEFENSE**

### **Assistance**

#### **Memorandum of Agreement Between the UNITED STATES OF AMERICA and UKRAINE**

Signed at Washington March 1, 2022

Entered into force March 1, 2022



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.”

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**  
**AND**  
**THE GOVERNMENT OF UKRAINE**  
**REGARDING END-USE, RETRANSFER AND SECURITY ASSURANCES**  
**RELATED TO RETRANSFERS OF**  
**UNITED STATES SOLD OR GRANTED DEFENSEE ARTICLES,**  
**RELATED TRAINING OR OTHER DEFENSE SERVICES**  
**TO THE GOVERNMENT OF UKRAINE**

The Government of the United States of America and the Government of Ukraine (hereinafter referred to as the "Parties"),

Considering the need to expedite certain retransfers of United States ("U.S.") sold or granted defense articles, related training or other defense services (including all associated components and technical data) to the Government of Ukraine,

Hereby agree as follows:

- (A) The following terms shall apply to any U.S. sold or granted defense articles, related training or other defense services (including all associated components and technical data) for which the Government of the United States of America has granted consent to retransfer from the initial recipient government to the Government of Ukraine.
- (B) The Government of Ukraine shall not, unless prior written consent of the Government of the United States of America has first been obtained:
  - (i) Permit any use by anyone not an officer, employee, or agent of the Government of Ukraine of such defense articles, related training or other defense services (including all associated components and technical data);

- (ii) Transfer, or permit any officer, employee, or agent of the Government of Ukraine to transfer, such defense articles, related training or other defense services (including all associated components and technical data) by gift, sale or otherwise; or
  - (iii) Use, or permit the use of, such defense articles, related training or other defense services (including all associated components and technical data) for purposes other than those for which provided.
- (C) The Government of Ukraine shall maintain the security of such defense articles, related training, or other defense services (including all associated components and technical data) and shall provide substantially the same degree of security protection afforded to such defense articles, related training or other defense services (including all associated components and technical data) by the Government of the United States of America.
- (D) This Memorandum of Agreement shall enter into force on the date of the later signature of both Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Memorandum of Agreement.

DONE, in duplicate, in the English language.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Jessica Lewis  
Name

\_\_\_\_\_  
Assistant Secretary for Political Military Affairs  
Title

FOR THE GOVERNMENT OF  
UKRAINE

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Oksana Markarova  
Name

\_\_\_\_\_  
Ambassador to the United States  
Title

3/11/2022

Date

Washington, DC

City

01/03/22

Date

Washington, DC

City