

Draft
Subject to Legal Review for Accuracy, Clarity, and Consistency
October 17, 2005

[month and day], 2005

H.E. Maqbool Bin Ali Sultan
Minister of Commerce and Industry
Ministry of Commerce and Industry
Sultanate of Oman

Dear Mr. Minister,

In connection with the signing on this date of the United States-Oman Free Trade Agreement (the "Agreement"), I have the honor to confirm the following understanding reached by the Governments of the United States and the Sultanate of Oman regarding the Agreement:

For Oman, the [proper title of the Administrative Court] is the impartial authority for purposes of Article 9.11.1; and the remedies available in, and the procedures applicable to that court, satisfy the requirements of Article 9.11.

I have the honor to propose that this understanding shall be treated as an integral part of the Agreement. I have the further honor to propose that this letter and your letter in reply confirming that you share this understanding shall constitute an agreement between our two Governments, to enter into force on the date of entry into force of the Agreement.

Sincerely,

Robert J. Portman
United States Trade Representative

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The Honorable Robert J. Portman
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Portman,

I have the honor to acknowledge receipt of your letter of this date, which reads as follows:

“In connection with the signing on this date of the United States-Oman Free Trade Agreement (the “Agreement”), I have the honor to confirm the following understanding reached by the Governments of the United States and the Sultanate of Oman regarding the Agreement:

For Oman, the [proper title of the Administrative Court] is the impartial authority for purposes of Article 9.11.1; and the remedies available in, and the procedures applicable to that court, satisfy the requirements of Article 9.11.

I have the honor to propose that this understanding shall be treated as an integral part of the Agreement. I have the further honor to propose that this letter and your letter in reply confirming that you share this understanding shall constitute an agreement between our two Governments, to enter into force on the date of entry into force of the Agreement.”

I have the honor to confirm that my Government shares the understanding expressed in your letter and to confirm that this understanding shall be treated as an integral part of the Agreement. I have the further honor to confirm that your letter and this reply shall constitute an agreement between our two Governments, to enter into force on the date of entry into force of the Agreement.

Sincerely,

Maqbool Bin Ali Sultan
Minister of Commerce and Industry