

No. 845

UNITED STATES OF AMERICA
and
ECUADOR

Exchange of notes constituting an agreement amending and extending the Agreement of 12 December 1940, as amended and extended, relating to a military aviation mission to Ecuador. Washington, 23 March and 17 May 1949

Official texts : English and Spanish.

Registered by the United States of America on 14 June 1950.

ÉTATS-UNIS D'AMÉRIQUE
et
ÉQUATEUR

Echange de notes constituant un accord portant modification et prorogation de l'Accord du 12 décembre 1940, modifié et prorogé, relatif à l'envoi en Equateur d'une mission militaire aérienne. Washington, 23 mars et 17 mai 1949

Textes officiels anglais et espagnol.

Enregistré par les Etats-Unis d'Amérique, le 14 juin 1950.

No. 845. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ECUADOR AMENDING AND EXTENDING THE AGREEMENT OF 12 DECEMBER 1940, AS AMENDED AND EXTENDED, RELATING TO A MILITARY AVIATION MISSION TO ECUADOR. WASHINGTON, 23 MARCH AND 17 MAY 1949

I

The Secretary of State to the Ecuadoran Ambassador

DEPARTMENT OF STATE
WASHINGTON

Mar. 23 1949

822.20 Missions/1-1849

Excellency :

I have the honor to acknowledge the receipt of your note No. 13 of January 18, 1949² requesting the renewal of the Agreement entered into on December 12, 1940³ modified by an additional article on April 30, 1941⁴ to run concurrently with the Agreement, and renewed for a period of four years by an exchange of notes dated June 13 and July 13, 1944² between the Governments of the United States of America and the Republic of Ecuador, providing for a United States Military Aviation Mission to Ecuador.

In your note of January 18, 1949 it was indicated that the Government of Ecuador desires to renew this Agreement for a period of two years, the renewal to commence on the termination of the present Agreement

¹ Came into force on 17 May 1949, and became operative retroactively as from 12 December 1948, by the exchange and according to the terms of the said notes.

² Not printed by the Department of State of the United States of America.

³ League of Nations, *Treaty Series*, Volume CCIII, page 305.

⁴ United Nations, *Treaty Series*, Volume 8, page 392.

on December 12, 1948. It was also proposed that Article 4 contain the following subparagraph :

“(c) Upon request by the Government of Ecuador that the entire personnel of the Mission be withdrawn, in the public interest of Ecuador without the necessity of compliance with Clause (a) of this Article.”

and that Article 9 be amended to read as follows :

“Each member of the Mission shall serve on the Mission with the rank he holds in the United States Air Force and shall wear the uniform of his rank in the United States Air Force.”

The above-mentioned proposals were transmitted to the Department of the Air Force and a reply has now been received indicating that, while that Department would be glad to extend the Air Mission Agreement for the suggested period of two years, it would not be possible to include the above-quoted amendments. On the other hand the Department of the Air Force has requested that the additional article signed on April 30, 1941 to the basic Agreement of December 12, 1940 for the assignment of a United States Military Aviation Mission to Ecuador be amended to read as follows :

“Each member of the Mission and his family shall be furnished by the Government of the Republic of Ecuador with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in Ecuador, both for the outward and for the return voyage. The Government of the Republic of Ecuador shall also pay all expenses of shipment of household effects, baggage and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in Ecuador, as well as all expenses incidental to the transportation of such household effects, baggage and automobile from Ecuador to the port of entry in the United States of America. Transportation of such household effects, baggage and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects and automobiles, in the case of personnel who may join the Mission for temporary duty at the request of the Ministry of Defense of the Republic of Ecuador, shall not be required under this Agreement, but shall be determined by negotiations between the Department of the

Air Force of the United States of America and the authorized representative of the Ministry of Defense of the Republic of Ecuador in Washington at such time as the detail of personnel for such temporary duty may be agreed upon."

The Department of the Air Force desires the following substitutions in the wording of the basic Agreement in order that the current organization of the United States Air Force may be properly reflected :

a. Preamble : Substitute " United States Air Force Mission " in lieu of " Military Aviation Mission."

b. Article 6 : Delete " Lieutenant Colonel or Major. " Substitute " Department of the Air Force " in lieu of " War Department " and " United States Air Force " in lieu of " United States Army Air Corps " wherever it appears in this Article.

c. Article 9 : Substitute " United States Air Force " in lieu of " United States Army Air Corps " wherever it appears in this Article.

d. Article 11 : Substitute " United States Air Force " in lieu of " United States Army Air Corps."

In the event that the above proposals are acceptable to your Government, I shall consider this note and your response to that effect as completing the Agreement between the two Governments for the renewal of the Agreement of 1940, notwithstanding the provision of Title I, Article 3.

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

For the Secretary of State :
Dean Rusk

His Excellency Señor Don Augusto Dillon
Ambassador of Ecuador

II

SPANISH TEXT — TEXTE ESPAGNOL TRANSLATION ¹ — TRADUCTION ²*The Ecuadoran Ambassador to the Secretary of State*EMBAJADA DEL ECUADOR
WASHINGTONEMBASSY OF ECUADOR
WASHINGTON

17 de mayo de 1949

May 17, 1949

No. 149

No. 149

Excelencia :

Excellency :

Tengo a honra dirigirme a Vuestra Excelencia con el objeto de expresarle que mi Gobierno ha tomado en debida consideración la amable nota de usted, No. 822.20, de 23 de marzo de 1949, relativa a la renovación del Acuerdo entre nuestros dos Gobiernos sobre la Misión Militar Aérea de los Estados Unidos en el Ecuador.

I have the honor to inform Your Excellency that my Government has given due consideration to your courteous note No. 822.20 of March 23, 1949, relative to the extension of the agreement between our two Governments on the United States Military Air Mission in Ecuador.

Al respecto, acabo de recibir instrucciones para manifestar a Vuestra Excelencia que el Ministerio de Defensa Nacional del Ecuador acepta las reformas propuestas por el Departamento de Estado en el Acuerdo que establece la susodicha Misión.

In this connection, I have just received instructions to inform Your Excellency that the Ministry of National Defense of Ecuador accepts the amendments proposed by the Department of State in the agreement that establishes the aforementioned Mission.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

A. DILLON

A. DILLON

Embajador del Ecuador

Ambassador of Ecuador

A Su Excelencia
el señor Dean Acheson
Secretario de Estado
Washington, D.C.

His Excellency
Dean Acheson
Secretary of State
Washington, D.C.

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des Etats-Unis d'Amérique.