

No. 1664

**UNITED STATES OF AMERICA
and
PANAMA**

Exchange of notes constituting an agreement terminating Point V of the Agreement of 18 May 1942 relating to certain matters affecting general relations between the two Governments and relating to maintenance of the Boyd-Roosevelt Highway pending the entry into force of the Highway Convention signed on 14 September 1950 between the two Governments. Panama, 14 September 1950

Official texts: English and Spanish.

Registered by the United States of America on 20 March 1952.

**ÉTATS-UNIS D'AMÉRIQUE
et
PANAMA**

Échange de notes constituant un accord relatif à la dénonciation du point V de l'Accord du 18 mai 1942 concernant certaines questions intéressant les relations générales entre les deux Gouvernements, et à l'entretien de la route Boyd-Roosevelt en attendant l'entrée en vigueur de la Convention routière entre les deux Gouvernements signée le 14 septembre 1950. Panama, 14 septembre 1950

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 20 mars 1952.

No. 1664. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PANAMA TERMINATING POINT V OF THE AGREEMENT OF 18 MAY 1942² RELATING TO CERTAIN MATTERS AFFECTING GENERAL RELATIONS BETWEEN THE TWO GOVERNMENTS AND RELATING TO MAINTENANCE OF THE BOYD-ROOSEVELT HIGHWAY PENDING THE ENTRY INTO FORCE OF THE HIGHWAY CONVENTION SIGNED ON 14 SEPTEMBER 1950 BETWEEN THE TWO GOVERNMENTS. PANAMA, 14 SEPTEMBER 1950

I

Panamá, September 14, 1950

No. 408

Excellency :

I have the honor to refer to the Highway Convention between the United States of America and the Republic of Panamá which has been signed today at Panamá by the Plenipotentiaries of the two countries.

In accordance with the understanding reached by the Governments of the two countries in the course of the negotiation of the Highway Convention that, upon the signing of the Convention, the provisions of Point V of the General Relations Agreement between the United States of America and the Republic of Panamá, effected by exchange of notes dated May 18, 1942², should cease to be effective, the Government of the United States of America proposes that it be mutually agreed that Point V of that Agreement is terminated as of this date.

In order to safeguard the common interest of the two countries in the proper maintenance of the Boyd-Roosevelt Highway, the Government of the United States of America further proposes that, by way of *modus vivendi*, pending the entry into force of the Highway Convention abovementioned, it be mutually agreed by and between the Governments of the two countries as follows :

(a) The United States of America assumes the responsibility for maintenance, at its expense, of the Boyd-Roosevelt Highway as defined in Article I of the Convention, it being understood that the Republic of Panamá, in order to make possible such maintenance, will cooperate in the manner specified in Articles II to VI, inclusive, of the Convention.

¹ Came into force on 14 September 1950 by the exchange of the said notes.

² See p. 221 of this volume.

(b) The Republic of Panamá grants to the United States of America the free and unimpeded use without cost of all public roads within the Republic of Panamá and of the Ancón Cove Dock, Taboga Island, and the roads leading therefrom, including the road to El Vigia Reservation, subject to the law and regulations relating to vehicular traffic in force in the Republic of Panamá.

In the event that, at the expiration of three years from the date of this exchange of notes, the exchange of ratifications of the Highway Convention abovementioned shall not have been accomplished, the provisions of this exchange of notes will be automatically terminated and will be the subject of further discussions between the two Governments.

The Government of the United States of America will consider this note and your reply note indicating the concurrence of your Government in the proposals set forth above as constituting an agreement between the two Governments with respect thereto, effective as of this date.

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

(Signed) Monnett B. DAVIS

His Excellency Dr. Carlos N. Brín
Minister for Foreign Affairs

II

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES

Panamá, 14 de Septiembre de 1950

D.P. N° 1443

Señor Embajador :

Tengo el honor de referirme a la atenta nota de Vuestra Excelencia, N° 408 de esta misma fecha, que dice lo siguiente :

« Tengo el honor de referirme a la Convención sobre Carreteras entre los Estados Unidos de América y la República de Panamá, la cual ha sido firmada hoy en Panamá por los plenipotenciarios de los dos países.

» De conformidad con la inteligencia a que han llegado los Gobiernos de los dos países en el curso de las negociaciones acerca de la Convención sobre Carreteras, de que al firmarse la Convención, dejarían de ser efectivas las estipulaciones del Punto V del Convenio sobre 12 puntos en las relaciones entre Panamá y los Estados Unidos de América, efectuado por canje de notas de fecha 18 de Mayo de 1942, el Gobierno de los Estados Unidos propone que se convenga mutuamente en que el Punto V de ese Convenio queda terminado a partir de esta fecha.

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

Panama, September 14, 1950

Mr. Ambassador :

I have the honor to refer to Your Excellency's courteous note No. 408, of this date, which reads as follows :

[*See note I*]

In reply, I have the honor to state that the Government of the Republic of Panama considers the proposals set forth in Your Excellency's note to be acceptable, and that these two communications constitute an Agreement between the two Governments with respect thereto, effective as of this date.

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

(*Signed*) Carlos N. BRÍN
Minister of Foreign Affairs

His Excellency Monnett B. Davis
Ambassador Extraordinary and Plenipotentiary
of the United States of America
City

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

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