

No. 2172

**UNITED STATES OF AMERICA
and
CHILE**

**Exchange of notes constituting an agreement relating to the
transfer of United States naval vessels to Chile. Wash-
ington, 4 January 1951**

Official text: English.

Registered by the United States of America on 11 May 1953.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHILI**

**Échange de notes constituant un accord relatif à la cession
au Chili de certains navires de guerre des États-Unis.
Washington, 4 janvier 1951**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 11 mai 1953.

No. 2172. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CHILE RELATING TO THE TRANSFER OF UNITED STATES NAVAL VESSELS TO CHILE. WASHINGTON, 4 JANUARY 1951

I

The Secretary of State to the Chilean Ambassador

DEPARTMENT OF STATE
WASHINGTON

January 4, 1951

Excellency :

I have the honor to refer to the negotiations between representatives of the Chilean Embassy and the Department of the Navy concerning the proposed transfer of United States Naval vessels to Chile which are now satisfactorily concluded. It is understood that the Chilean Government has requested that the following vessels be transferred :

U. S. S. Brooklyn (CL 40)

U. S. S. Nashville (CL 43)

It gives me pleasure to inform Your Excellency that the Government of the United States of America is prepared to transfer these vessels under the authority of section 408 (e) of the Mutual Defense Assistance Act of 1949,² as amended,³ on the understanding that the Chilean Government accepts the undertakings which follow :

1. Prior to the transfer to the Chilean Government of the vessels listed above and certain accompanying materials together with the supply of certain services, the Chilean Government will make available to the Government of the United States of America funds in dollars as specified in the memorandum of understanding referred to below.

2. The Chilean Government will not transfer title to or possession of these vessels and any accompanying materials or information without the prior consent of the Government of the United States of America.

¹ Came into force on 4 January 1951, by the exchange of the said notes.

² United States of America : 63 Stat. 720.

³ United States of America : 64 Stat. 376.

3. The Chilean Government will protect the security of any article, service or information furnished in connection with the transfer of the vessels requested.

4. The Chilean Government agrees to use these vessels and materials to further the policies and purposes of the Mutual Defense Assistance Act (as to which the Chilean Government has been fully informed) and, in particular, in support of the obligations resting upon it and the other nations bound by the Inter-American Treaty of Reciprocal Assistance of September 2, 1947¹ and, that the vessels will not be used except to maintain the internal security of Chile, the legitimate self-defense of Chile, or the common defense and the maintenance of the peace and security of the continent.

5. The Chilean Government will furnish, as may be agreed, equipment and materials, services, or other assistance, consistent with the Charter of the United Nations, to the United States or to other nations eligible for assistance under the Mutual Defense Assistance Act to further the policies and purposes of that Act.

It is understood that a memorandum of understanding concerning the details of the transfer, supply and payment will be entered into between representatives of the Chilean Government and the United States Department of the Navy as a part of the present agreement.

In order to facilitate any future transfer of military equipment and materials and the supply of services to the Chilean Government, it is proposed that the Chilean Government accept the undertakings contained in this note not only as they relate to the transfer of the vessels and materials in question, but also as to any military equipment, materials or services hereafter transferred to it.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Chilean Government, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

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

For the Secretary of State :
Edward G. MILLER

His Excellency Señor Félix Nieto del Río
Ambassador of Chile

¹ United Nations, *Treaty Series*, Vol. 21, p. 77; Vol. 26, p. 417, and Vol. 82, p. 330.

II

The Chilean Ambassador to the Secretary of State

REPÚBLICA DE CHILE
EMBAJADA DE CHILE
WASHINGTON

Nº 14—5

4 January 1951

Excellency :

I have the honor to refer to Your Excellency's note of January 4, 1951, respecting the negotiations between representatives of this Embassy and the Department of the Navy concerning the proposed transfer of United States Naval vessels to Chile which are now satisfactorily concluded.

The Chilean Government requested that the U. S. S. *Brooklyn* (CL 40) and the U. S. S. *Nashville* (CL 43) be transferred, and Your Excellency informs me that the Government of the United States of America is prepared to transfer these vessels under the authority of section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended, on the basis of an undertaking proposed in the note under acknowledgement.

I have pleasure to inform Your Excellency that the proposed undertaking is accepted by the Government of Chile, as follows :

[See note I]

It is understood that upon the receipt of this note by Your Excellency, the Government of the United States of America and the Government of Chile will consider that Your Excellency's note of January 4, 1951 and this reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of this note.

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

F. NIETO DEL RÍO

His Excellency Dean G. Acheson
The Secretary of State
Washington 25. D. C.