

No. 2804

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**UNITED STATES OF AMERICA  
and  
URUGUAY**

**Agreement (with related note) relating to mutual defense  
assistance. Signed at Montevideo, on 30 June 1952**

*Official texts: English and Spanish.*

*Registered by the United States of America on 11 March 1955.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
URUGUAY**

**Accord d'assistance militaire (avec note y relative). Signé  
à Montevideo, le 30 juin 1952**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 11 mars 1955.*

No. 2804. AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND URUGUAY RELATING TO MUTUAL DEFENSE ASSISTANCE. SIGNED AT MONTEVIDEO, ON 30 JUNE 1952

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The Government of the United States of America and of the Oriental Republic of Uruguay :

In accordance with the obligations which they have assumed under the Inter-American Treaty of Reciprocal Assistance<sup>2</sup> and other international instruments to assist any American State the victim of an armed attack and to act together for the common defense and for the maintenance of the peace and security of the Western Hemisphere ;

With the aim of promoting international peace and security within the framework of the Charter of the United Nations through measures which will increase the ability of nations dedicated to the achievement of the purposes and principles of the Charter to participate effectively in arrangements for individual and collective self-defense ;

Reaffirming their determination to give their full cooperation to the efforts to make effective measures of collective security adopted by the United Nations, in accordance with the Charter, and to obtain agreement on universal regulation and reduction of armaments under adequate guarantee against violation ;

Taking into consideration the support that the Government of the United States of America has brought to these principles by enacting the Mutual Defense Assistance Act of 1949, as amended,<sup>3</sup> and the Mutual Security Act of 1951,<sup>4</sup> which provide for the furnishing of military assistance to nations which have concluded with it collective security arrangements ; and

Desiring to set forth the conditions which will govern the furnishing of such assistance between the contracting Governments ;

Have agreed as follows :

*Article I*

1. Each Government will make or continue to make available to the other, and to such additional governments as the parties hereto may in each case agree

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<sup>1</sup> Came into force on 11 June 1953, by notice given to the Government of the United States of America of the ratification thereof by the Government of Uruguay, in accordance with article 11.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 21, p. 77 ; Vol. 26, p. 417, and Vol. 82, p. 330.

<sup>3</sup> United States of America : 63 Stat. 714 ; 22 U.S.C. § 1571 *et seq.*

<sup>4</sup> United States of America : 65 Stat. 373.

upon, such equipment, materials, services, or other military assistance as the Government furnishing such assistance may authorize, in accordance with their respective Constitutions, and in accordance with such terms and conditions as may be agreed. The furnishing of any such assistance as may be authorized by either Party hereto shall be consistent with the Charter of the United Nations and with Inter-American treaties ratified by the Parties to this Agreement. Such assistance will be extended in such a way as to promote the defense of the Western Hemisphere in accordance with defense plans agreed upon by the competent authorities of both countries under which both Governments, in conformity with their constitutional provisions, will participate in missions which will have as their purpose the common defense of the Western Hemisphere. Assistance made available by the Government of the United States of America pursuant to this Agreement will be furnished in accordance with the provisions, terms, and stipulations concerning termination of the assistance contained in the Mutual Defense Assistance Act of 1949, the Mutual Security Act of 1951, and the laws amendatory and supplementary thereto as well as appropriation acts thereunder. The two Governments will, from time to time, negotiate detailed arrangements necessary to carry out the provisions of this paragraph.

2. Each Government undertakes to make effective use of assistance received from the other pursuant to this Agreement for the purpose of implementing defense plans, which may be accepted by the two Governments, under which the two Governments will participate in missions important to the defense of the Western Hemisphere, and will not, unless otherwise agreed, devote such assistance to purposes other than those for which it was furnished.

3. Arrangements will be entered into under which equipment and materials furnished pursuant to this Agreement and no longer required for the purposes for which they were originally made available (except equipment and materials furnished under terms requiring reimbursement) will be returned to the Government which furnished such assistance for appropriate disposition.

4. In the common security interest of the Parties, both Governments agree not to transfer title to or possession of any equipment, materials, or services furnished under this Agreement, without a prior mutual agreement in this respect.

5. If the funds allotted for implementing any assistance programs undertaken by the Government of the United States of America under the present Agreement are made subject to any judicial process in the Oriental Republic of Uruguay which would obstruct or make difficult their free and immediate use for the purposes for which they were originally intended, the Government of the Oriental Republic of Uruguay will promptly take action to insure, for the execution of such programs and achievement of such objectives a contribution equivalent to the funds referred to; in the meantime the Government of the Oriental Republic of

Uruguay will take the measures necessary within its constitutional powers to assure the realization of the objectives for which those funds were intended.

6. Each Government will take such security measures as may be agreed in each case between the Parties in order to prevent the disclosure or compromise of classified military articles, services or information furnished by the other Government pursuant to this Agreement.

#### *Article II*

Each Government will take adequate measures consistent with security to keep the public informed of operations under this Agreement.

#### *Article III*

The two Governments will, upon the request of either of them, negotiate adequate arrangements between them providing for the methods and terms of the exchange of patent rights and technical information for defense, which will expedite such exchanges and at the same time protect private interests and maintain necessary security safeguards.

#### *Article IV*

1. Subject to the provision of the necessary appropriations and in accordance with the provisions of their respective Constitutions, both Governments agree to make available to each other mutually the amount of national currency which may be agreed upon to cover costs originating in the furnishing of certain services relative to the carrying-out of the present Agreement.

The two Governments will initiate as soon as possible negotiations with a view to determining the amount of such local currency and to agreeing upon arrangements for making it available.

2. The Government of the Oriental Republic of Uruguay will, except as otherwise agreed, grant duty-free treatment and exemption from internal taxation upon importation or exportation to products, property, materials or equipment imported into its territory in connection with this Agreement or which may be in transit to or from any other country which is receiving military assistance as a result of a similar agreement between that country and the United States of America.

#### *Article V*

1. Each Government upon being appropriately advised agrees to receive personnel of the other Government who will discharge responsibilities of the other Government in connection with the execution of this Agreement. Such personnel will be accorded facilities in connection with the objectives of this Agreement.

Such personnel will operate as part of the Embassy under the direction of the Chief of the respective Diplomatic Mission and shall be accorded the immunities and privileges conferred by international custom on Embassy personnel of corresponding rank.

2. In order to carry out the provisions of the preceding paragraph, the two Governments, by common accord, will establish regulations governing the classification of such personnel. Such personnel will consist exclusively of nationals of the sending country. It is understood between the two Governments that the number of such personnel will be kept as low as possible.

3. The Government of the Oriental Republic of Uruguay shall accord the personnel of the United States of America sent pursuant to this article the same privileges as are conferred on members of the Air Force Mission of the United States of America under article XVI of the respective Agreement of December 4, 1951.<sup>1</sup>

Should it become necessary to send Uruguayan personnel to the United States of America in connection with the execution of this accord, they will receive, with respect to the provisions of paragraph 3 of this article, the same treatment as personnel of the United States of America in Uruguay.

#### *Article VI*

Existing arrangements between the two Governments relating to Armed Forces missions of the United States of America established under other instruments are not affected by this Agreement and will remain in full force.

#### *Article VII*

In conformity with the principle of mutual aid, as provided in article I, the two Governments hereby reaffirm Resolutions XII, XIII, XIV and XVI set forth in the Final Act of the Fourth Meeting of Consultation of Ministers of Foreign Affairs of American Republics, held in Washington in 1951, which embody decisions taken unanimously by American States for the purpose of cooperating technically and financially with a view to increasing production of basic materials and providing one another with materials, products and services required for their common defense. Transfers of materials will be effected according to legislation in force and specific agreements already existing or to be negotiated, in accordance with the respective constitutional provisions.

#### *Article VIII*

In the interest of mutual security, each Government will cooperate with the other in the adoption and application of appropriate measures of economic defense

<sup>1</sup> United Nations, *Treaty Series*, Vol. 152, p. 41.

and commercial controls destined to protect the Hemisphere against the countries which may threaten its security.

*Article IX*

The two Governments reaffirm their determination to cooperate in promoting international understanding and good will and maintaining world peace, as well as to proceed as may be mutually agreed upon to eliminate causes of international tension and to fulfill the military obligations which may have been assumed under international treaties to which both Governments may be Parties and which may bind them juridically one to the other. The Government of the Oriental Republic of Uruguay agrees to make, consistent with its capabilities, resources and economic condition, the full contribution permitted thereby and which may be compatible with its political, social and economic stability, for the development and maintenance of its defensive strength as well as for the defensive strength of the free world.

*Article X*

Whereas this Agreement, having been negotiated and concluded on the basis that the Government of the United States of America will extend to the other Party thereto the benefits of any provision in similar agreements concluded with any other American Republic, it is understood that the Government of the United States of America will interpose no objection to amending this Agreement in order that its provisions may conform, in whole or in part, to the corresponding provisions of any similar Military Assistance Agreement, or agreements amendatory thereto, concluded with an American Republic.

*Article XI*

1. This Agreement shall enter into force on the date on which the Government of the Oriental Republic of Uruguay notifies the Government of the United States of America of its ratification in accordance with Uruguayan constitutional procedures and shall continue in force until one year after the receipt by either Party of written notice of the intention of the other Party to terminate it, except that the provisions of article I, paragraphs 2 and 4 and agreements made pursuant to the provisions of article I, paragraphs 3, 5 and 6 of article III shall remain in force unless otherwise agreed by the two Governments.

2. The two Governments shall, upon the request of either of them, consult regarding any matter relating to the application or amendment of this Agreement.

3. This Agreement shall be registered with the Secretary General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, Edward L. Roddan, Ambassador of the United States of America in the Oriental Republic of Uruguay,

and Fructuoso Pittaluga, Minister Secretary of State for Foreign Relations of the Oriental Republic of Uruguay, have signed the present Agreement, in duplicate in the English and Spanish languages, and have affixed thereto their seals, in Montevideo this thirtieth day of June, one thousand nine hundred fifty-two.

For the United States of America :

Edward L. RODDAN

[SEAL]

For the Oriental Republic of Uruguay :

Fructuoso PITTALUGA

[SEAL]

*The American Embassy to the Uruguayan Ministry of Foreign Affairs*

No. 36

## AIDE-MÉMOIRE

The following is submitted in confirmation of the understanding reached during the negotiation of the Military Assistance Agreement between Uruguay and the United States with respect to the points listed :

1. The term, "Western Hemisphere", as used in the Bilateral Military Assistance Agreement between Uruguay and the United States, is considered to have the same meaning as the word, "continent", as used in article VI of the Inter-American Treaty of Reciprocal Assistance, and in general to correspond to the region defined in article IV of that Treaty.

2. In accordance with the Agreement, there will be assigned to Uruguay the minimum United States military personnel required to carry out the Agreement, and this personnel will remain in Uruguay only until they can complete their tasks relating to the delivery of equipment and instruction and advice in its use.

3. It appears inconceivable that a situation would arise in which the Government of Uruguay would find it desirable, in its own interest, to discontinue the type of defense preparations contemplated under this agreement, and thereby to lessen its capability for discharging the obligations it has assumed under the Inter-American Treaty of Reciprocal Assistance in the event of an attack on the Hemisphere. However, in reply to the hypothetical question raised regarding the provision in article XI that the obligations contained in article I, paragraph 2, are not extinguished in the event the agreement is terminated, it may be said that article I, paragraph 2, applies only to the use of equipment furnished under the Agreement. Therefore, if the Agreement should be terminated under the provisions of article XI, and if, hypothetically speaking, the Government of Uruguay should no longer desire to use the equipment for the purposes for which it was furnished, the Government of Uruguay might nullify its obligation to utilize the equipment in the manner specified in article I, paragraph 2, by returning it to the United States.

E. L. R.

Embassy of the United States of America  
Montevideo, September 10, 1952