

No. 3378

**UNITED STATES OF AMERICA
and
PERU**

**Exchange of notes constituting an agreement relating to a
Military Assistance Advisory Group. Lima, 28 June,
18 July, 20 and 28 October 1955**

Official texts: English and Spanish.

Registered by the United States of America on 9 May 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
PÉROU**

**Échange de notes constituant un accord relatif au statut
du Groupe consultatif américain d'assistance militaire
au Pérou. Lima, 28 juin, 18 juillet, 20 et 28 octobre 1955**

Texte officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 9 mai 1956.

No. 3378. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PERU RELATING TO A MILITARY ASSISTANCE ADVISORY GROUP. LIMA, 28 JUNE, 18 JULY, 20 AND 28 OCTOBER 1955

I

The American Chargé d'Affaires ad interim to the Peruvian Acting Minister of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 464

Lima, June 28, 1955

Excellency :

I have the honor to refer to the following Agreements between our two Governments : Mutual Defense Assistance Agreement signed at Lima on February 22, 1952;² Army Mission Agreement signed at Washington on June 20, 1949,³ Naval Mission Agreement, as amended and extended, signed at Washington on July 31, 1940,⁴ and the Military Aviation Mission Agreement, as extended, signed at Washington on October 7, 1946.⁵

It is proposed that, notwithstanding the provisions of Articles 7 and 8 of the Army Mission Agreement, Articles 8 and 9 of the Naval Mission Agreement and Articles 9 and 10 of the Military Aviation Mission Agreement, the members of the Missions provided for under these Agreements may also perform the functions specified in Article V of the Mutual Defense Assistance Agreement of February 22, 1952.² The Chief of one of the Missions will be designated as Chief of the Military Assistance Advisory Group, assigned to Peru under Article V of the Mutual Defense Assistance Agreement, as an additional duty. The other two Mission Chiefs will be designated as Chief of the respective Service Sections of the Military Assistance Advisory Group as an additional duty. With the assignment of these functions to the Chiefs of the Missions, Article V of the Mutual Defense Assistance Agreement would apply to them. Personnel of the three Missions, when performing functions of the Military Assistance Advisory Group, will act under the direction and control of the Chief of the Diplomatic Mission of the United States of America and will be responsible to him.

¹ Came into force on 26 October 1955, in accordance with the terms of the said notes.

² United Nations, *Treaty Series*, Vol. 165, p. 31.

³ United Nations, *Treaty Series*, Vol. 92, p. 249.

⁴ League of Nations, *Treaty Series*, Vol. CCIII, p. 91; and United Nations, *Treaty Series*, Vol. 109, p. 211 and p. 15.

⁵ United Nations, *Treaty Series*, Vol. 7, p. 71, and Vol. 152, p. 272.

Personnel now assigned to the Military Assistance Advisory Group will be reassigned to the respective Service Mission, as necessary, and as agreed to between the two Governments.

If the foregoing proposal is acceptable to Your Excellency's Government, this note and Your Excellency's note in reply, will be considered an agreement between our two Governments on this matter which shall enter into force on the date of receipt of Your Excellency's reply.

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

Clare H. TIMBERLAKE
Chargé d'Affaires, ad interim

His Excellency Alejandro Freundt y Rosell
Acting Minister of Foreign Affairs of Peru

II

The Peruvian Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]

MINISTERIO DE RELACIONES EXTERIORES

MINISTRY OF FOREIGN AFFAIRS

Lima, 18 de Julio de 1955

Lima, July 18, 1955

Número (D): 6-3/55

Number (D): 6-3/55

Señor Encargado de Negocios:

Mr. Chargé d'Affaires:

Tengo a honra hacer llegar a Vuestra Señoría, adjuntas, copias de los oficios N° 458 GM/2-Ñ, del 13 de los corrientes, y N° G.400-242, del 11 del presente mes, de los Ministerios de Guerra y de Marina, respectivamente, que contienen las respuestas de dichos Ministerios a la propuesta para funciones adicionales para los miembros de las Misiones Militar, Naval y Aérea de los Estados Unidos de América en el Perú a que se contrae la nota de esa Embajada N° 464, del 28 de Junio último.

I have the honor to enclose copies of communications No. 458 GM/2-Ñ of the 13th of this month and No. G.400-242 of the 11th of this month, from the Ministries of War and Navy, respectively, which contain the replies of those Ministries to the proposal regarding additional functions for the members of the Military, Naval, and Air Missions of the United States of America in Peru, to which your Embassy's note No. 464 of June 28, 1955, refers.

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

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

Tan pronto sea recibida en esta Cancillería la respuesta del Ministerio de Aeronáutica, será transmitida a esa Misión para los fines del caso.

Aprovecho la oportunidad para reiterarle, Señor Encargado de Negocios, las seguridades de mi distinguida consideración.

D. F. AGUILAR

Al Honorable Señor
Clare H. Timberlake
Encargado de Negocios a.i. de los
Estados Unidos de América
Ciudad

COPIA

MINISTERIO DE GUERRA

Lima, 13 de Julio de 1955

Of. N° 458 GM/2-Ñ

Señor Ministro de Estado en el Despacho de Relaciones Exteriores

Asunto : Sobre Acuerdos Militares con EE.UU.

Ref. : Su oficio-D-2-1/189 de 5 Jul 55.

Tengo el agrado de dirigirme a Ud. en relación con su oficio de la referencia, y cúpleme manifestarle que mi Despacho no tiene ningún inconveniente en aceptar la propuesta sobre funciones adicionales del Jefe de la Misión Militar Americana, al ser designado Jefe del Grupo Consultor de Ayuda Militar, adscrito al Perú de conformidad con el artículo V del Acuerdo de Ayuda para la Defensa Mutua, tan como se subraya en el oficio N° 464—cuya copia me acompaña—del Encargado de Negocios a.i. de la Embajada de los Estados Unidos de América en el Perú.

Dios guarde a usted.

El Ministro de Guerra :

Gral. Div. Carlos A. MIÑANO M.

Es copia fiel del original.
jvb.

No. 3378

As soon as the Ministry of Foreign Affairs receives a reply from the Ministry of Aeronautics, it will be transmitted to the Embassy for the pertinent purposes.

I avail myself of this opportunity to renew to you, Mr. Chargé d'Affaires, the assurances of my distinguished consideration.

D. F. AGUILAR

The Honorable
Clare H. Timberlake
Chargé d'Affaires ad interim of the
United States of America
City

COPY

MINISTRY OF WAR

Lima, July 13, 1955

Of. No. 458 GM/2-Ñ

The Minister of State in the Office of Foreign Affairs.

Subject : Military Agreements with the United States.

Ref. : Your communication-D-2-1/189 of July 5, 1955.

I am pleased to inform you, with reference to your communication mentioned above, that my Ministry has no objection to accepting the proposal on additional functions of the Chief of the United States Military Mission on being appointed Chief of the Military Assistance Advisory Group assigned to Peru in accordance with Article V of the Mutual Defense Assistance Agreement, as indicated in note No. 464—a copy of which you transmitted to me—from the Chargé d'Affaires ad interim of the Embassy of the United States of America in Peru.

God keep you.

Major General Carlos A. MIÑANO M.

Minister of War

This is a true copy of the original.
jvb.

COPIA

MINISTERIO DE MARINA

Lima, 11 de Julio de 1955

G. 400-242

Señor Ministro de Estado en el Despacho de Relaciones Exteriores.

Tengo el agrado de acusar recibo de su oficio N° (D) 2-2/135, fecha 5 de Julio de 1955, adjuntando copia de la Nota N° 464, de 28 de Junio último, de la Embajada de los Estados Unidos de América en Lima, en la que propone funciones adicionales, de conformidad con el artículo V del Acuerdo de Ayuda para la Defensa Mutua, de 22 de Febrero de 1952, para los miembros de las Misiones Militar, Naval y Aérea de los Estados Unidos de América.

De acuerdo con su petición, comunico a usted que es opinión de este Ministerio, que se acepte la propuesta formulada por la Embajada Americana en Lima.

Dios guarde a Ud.

El Vice-Almirante
 Presidente del Consejo de Ministros
 y Ministro de Marina :
 Roque A. SALDIAS

Es copia fiel del original.
 vb.

COPY

MINISTRY OF THE NAVY

Lima, July 11, 1955

G. 400-242

The Minister of State in the Office of Foreign Affairs.

I am pleased to acknowledge receipt of your communication No. (D) 2-2/135 dated July 5, 1955, enclosing a copy of note No. 464 of June 28, 1955, from the Embassy of the United States of America in Lima, in which, pursuant to Article V of the Mutual Defense Assistance Agreement of February 22, 1952, it proposes additional functions for the members of the Military, Naval, and Air Missions of the United States of America.

In accordance with your request, I inform you that this Ministry is of the opinion that the proposal made by the United States Embassy in Lima should be accepted.

God keep you.

Roque A. SALDIAS
 Rear Admiral
 President of the Council of Ministers
 and Minister of the Navy

This is a true copy of the original.
 jvb.

III

The Peruvian Minister for Foreign Affairs to the American Chargé d'Affaires ad interim

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]

MINISTERIO DE RELACIONES EXTERIORES

MINISTRY OF FOREIGN AFFAIRS

Lima, 20 de Octubre de 1955

Lima, October 20, 1955

Número (D): 6-3/88

Number (D) : 6-3/88

Señor Encargado de Negocios :

Mr. Chargé d'Affaires :

Tengo a honra enviar a Vuestra Señoría, con referencia a mi nota N° (D) 6-3-55 de 18 de Julio del presente año, una copia del oficio N° MM-0193-SGA, del Ministerio de Aeronáutica en el que se dá respuesta favorable a la consulta formulada por esa Misión en su atenta nota N° 464, de 28 de Junio del año en curso, en el sentido de ampliar las funciones de los miembros de las Misiones Militar, Naval y Aérea de los Estados Unidos de América.

Al comunicar lo que antecede a Vuestra Señoría, aprovecho para reiterarle las seguridades de mi distinguida consideración.

D. F. AGUILAR

Al Honorable Señor
Clare H. Timberlake
Encargado de Negocios a.i. de los
Estados Unidos de América
Ciudad

With reference to my note No. (D) 6-3-55 of July 18 of this year, I have the honor to enclose a copy of note No. MM-0193-SGA from the Ministry of Aeronautics giving a favorable reply to the inquiry made by your Embassy in its note No. 464 of June 28 of this year, regarding additional functions for the members of the Military, Naval, and Air Missions of the United States of America.

In communicating the foregoing to you, I avail myself of the opportunity to renew to you the assurances of my distinguished consideration.

D. F. AGUILAR

The Honorable
Clare H. Timberlake
Chargé d'Affaires ad interim 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.

COPIA

MINISTERIO DE AERONÁUTICA

Miraflores, Setiembre de 1955

MM-0193-SGA

Señor Ministro de Estado en el Despacho de Relaciones Exteriores.

Me es grato acusar recibo de su atento Ofc. N° (D)-2-10/98, del 5 de Julio último, así como de la copia de la nota N° 464, de 28 de Junio del año en curso, de la Embajada de los Estados Unidos de América en Lima, proponiendo funciones adicionales, en conformidad con el Art. V del Acuerdo de Ayuda para la Defensa Mutua de 22 de Febrero de 1952, para los miembros de las Misiones Militar, Naval, y Aérea de los Estados Unidos de América.

Estudiado el asunto por los Organismos Técnicos pertinentes, cumpro con manifestarle que mi Despacho estima que no hay inconveniente para que los miembros de la Misión de la Fuerza Aérea de los Estados Unidos de América, desempeñen funciones adicionales, de conformidad con los artículos mencionados en el Acuerdo de la Misión Militar de Aviación suscrito en 1946 y con el Acuerdo de Ayuda para la Defensa Mutua de 1952.

Aprovecho de esta oportunidad para renovar a Ud., señor Ministro, el testimonio de mi más alta consideración.

Dios guarde a usted.

El Mayor General F. A. P. :
 Enrique BERNALES B.
 Ministro de Aeronáutica

COPY

MINISTRY OF AERONAUTICS

Miraflores, September 1955

MM-0193-SGA

The Minister of State in the Office of Foreign Affairs.

I take pleasure in acknowledging receipt of your communication No. (D)-2-10/98 of July 5, 1955, and the copy of note No. 464 of June 28 of this year from the Embassy of the United States of America in Lima, proposing additional functions for the members of the Military, Naval, and Air Missions of the United States of America, pursuant to Article V of the Mutual Defense Assistance Agreement of February 22, 1952.

The matter has been studied by the appropriate technical agencies, and I am pleased to inform you that my Ministry believes that there is no objection to the performance of additional functions by the members of the Air Force Mission of the United States of America, under the cited Articles of the Military Aviation Mission Agreement signed in 1946 and the Mutual Defense Assistance Agreement of 1952.

I avail myself of this opportunity to renew to you, Mr. Minister, the assurance of my highest consideration.

God keep you.

Major General Enrique BERNALES B.
 Peruvian Air Force
 Minister of Aeronautics

IV

The American Chargé d'Affaires ad interim to the Peruvian Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 203

Lima, October 28, 1955

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note No. (D) 6-3/88 of October 20, 1955 enclosing a copy of Note No. MM-0193-SGA from the Ministry of Aeronautics granting final approval for the amalgamation of the Military Assistance Advisory Group with the Army, Navy and Military Aviation Missions.

This agreement shall, therefore, be considered effective as of October 26, 1955, the date on which Your Excellency's Note was received at this Embassy, in accordance with the provisions of Embassy Note No. 464 of June 28, 1955.

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

Clare H. TIMBERLAKE
Chargé d'Affaires ad interim

His Excellency Dr. David Aguilar Cornejo
Minister for Foreign Affairs of Peru