

No. 3802

**UNITED STATES OF AMERICA
and
PARAGUAY**

**Exchange of notes constituting an agreement extending
and amending the Agreement of 27 October 1943, as
extended, relating to a military aviation mission to
Paraguay. Asunción, 22 July 1955**

Official texts: English and Spanish.

Registered by the United States of America on 8 April 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
PARAGUAY**

**Échange de notes constituant un accord prorogeant et
modifiant l'Accord du 27 octobre 1943, tel qu'il a été
prorogé, relatif à l'envoi d'une mission militaire
aérienne au Paraguay. Assomption, 22 juillet 1955**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 8 avril 1957.

No. 3802. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PARAGUAY EXTENDING AND AMENDING THE AGREEMENT OF 27 OCTOBER 1943, AS EXTENDED, RELATING TO A MILITARY AVIATION MISSION TO PARAGUAY. ASUNCIÓN, 22 JULY 1955

I

The American Ambassador to the Paraguayan Minister of Foreign Affairs

AMERICAN EMBASSY

No. 17

Asunción, July 22, 1955

Excellency :

I have the honor to refer to the United States Military Aviation Mission Agreement between the Governments of the Republic of Paraguay and of the United States of America signed at Washington on October 27, 1943,² extended for a period of four years by an exchange of notes of October 27 and November 20, 1947,³ and further extended by an exchange of notes of May 31 and July 30, 1951,⁴ for a period of two years. I refer also to the exchange of notes with regard to further extension of the Agreement, the Embassy's notes Nos. 92 of April 19, 1954,⁵ and 187 of June 13, 1955,⁵ and Your Excellency's replies DOTAI Nos. 18 and 782 of January 13 and July 15, 1955.⁵

In the present note are reiterated the suggestions for amending the Military Aviation Mission Agreement made in the Embassy's notes Nos. 92 and 187 referred to above. This is done in order that this note and a favorable reply by Your Excellency might of themselves constitute an agreement to extend the Military Aviation Mission Agreement.

My government desires to suggest the following amendments to this Agreement :

- (a) in the preamble, substitute the words " Air Force Mission " for " Military Aviation Mission " and thereafter in the Agreement refer to it as the " Air Force Mission Agreement ; "
- (b) in Article 6, substitute the words " Department of the Air Force " for the words " War Department ; "

¹ Came into force on 22 July 1955, with retroactive effect from 27 October 1953, by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 29, p. 391.

³ United Nations, *Treaty Series*, Vol. 141, p. 408.

⁴ United Nations, *Treaty Series*, Vol. 178, p. 163.

⁵ Not printed by the Department of State of the United States of America.

- (c) Throughout the Agreement where the words “ United States Air Corps ” appear, substitute “ United States Air Force; ”
- (d) in Article 6 omit the phrase “ through its authorized representative in Washington; ” and
- (e) amend Article 15 of the Agreement so that the article will read as follows :

“ *Article 15.* (a) The cost of transportation for members of the Mission, members of their families, and for their household goods and personal effects, shall be borne by the Government of the United States of America in accordance with its laws and regulations.

“ (b) The cost of transportation of one private automobile for each member of the Mission, including the present members of the Mission, between the port of embarkation in the United States of America and his residence in the Republic of Paraguay, including all expenses incidental to unloading the automobile from the carrier and delivering it to the Mission member at his residence in the Republic of Paraguay, shall be borne by the Government of the Republic of Paraguay. This subparagraph (b) shall not apply to members of the Mission whose assignment to the Mission is not intended to be for at least one year.

“ (c) (i) A Mission member who has been assigned to the Mission for two years or more shall, within a reasonable time prior to his departure from the Republic of Paraguay, be entitled to sell his private automobile without any restrictions or conditions.

“ (ii) A Mission member who has been assigned to the Mission for less than two years, and who has a private automobile which he desires to sell prior to his departure from the Republic of Paraguay, shall first offer the automobile to the Government of the Republic of Paraguay at the declared valuation at the time of import. If the Government of the Republic of Paraguay does not exercise its option within fifteen days, the Mission member shall be free to sell his private automobile with the sole condition that he pay the import duties in effect at the time the automobile entered the country.

“ (iii) For the purposes of this agreement, a Mission member shall be considered as being assigned to the Mission beginning on the date on which the Government of the Republic of Paraguay commences payment to the Mission member of net annual compensation and ending on the date in which it ceases such payments as provided in Article 13. ”

As thus amended, my Government desires to extend the Agreement effective October 27, 1953, until such time as it may be terminated as provided in either Article 4 or Article 5 of the Agreement.

If the proposals made in this note are acceptable to Your Excellency, my Government will consider this note and an affirmative response thereto as

constituting an agreement extending the United States Military Aviation Agreement, as amended, effective as of the date noted above.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Arthur A. AGETON

His Excellency Dr. Hipólito Sánchez Quell
Minister of Foreign Affairs
of the Republic of Paraguay
Asunción

II

The Paraguayan Minister of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES

DOTAI N° 837.—

Asunción, 22 de julio de 1955

Señor Embajador :

Tengo el honor de dirigirme a Vuestra Excelencia a fin de referirme al Acuerdo entre el Gobierno que Vuestra Excelencia tan dignamente representa y mi Gobierno, suscrito en Washington el 27 de Octubre de 1943, mediante el cual se ha establecido la Misión Militar Aérea de los Estados Unidos de América en el Paraguay. Me refiero, asimismo, a las prórrogas de dicho Acuerdo formalizadas mediante los intercambios de notas de fechas 27 de Octubre y 20 de Noviembre de 1947, y de fechas 31 de Mayo y 30 de Julio de 1951. Me refiero también a las notas de esa Embajada, número 92 del 19 de Abril de 1954 y número 187, del 13 de Junio de 1955 y a mis respectivas respuestas, notas DOTAI números 18 y 782, de fechas 13 de Enero y 15 de Julio de 1955. Par último, me refiero a la nota de esa Embajada, número 17, de fecha de hoy, mediante la cual se reiteran las sugerencias para la enmienda del citado Acuerdo así como su prórroga adicional.

Mi Gobierno acepta las enmiendas propuestas por Vuestra Excelencia en la última de sus notas citadas; enmiendas a introducirse en el texto original del Acuerdo referente a la Misión Militar Aérea de los Estados Unidos de América en el Paraguay y que consisten en las que detalladamente se reproducen a continuación :

- a) La substitución, en el Preámbulo del Acuerdo, de las palabras « Misión Militar Aérea » por « Misión de la Fuerza Aérea »; y la referencia en lo sucesivo a dicho Acuerdo, como al « Acuerdo de la Misión de la Fuerza Aérea ».
- b) La substitución en el artículo VI de las palabras « Secretaría de Guerra » por « Departamento de la Fuerza Aérea ».

de fecha 27 de Octubre de 1943, desde el 27 de Octubre de 1953 hasta la fecha en que pueda terminar según se prevé en los artículos IV y V del referido Acuerdo.

Hago propicia la oportunidad para renovar a Vuestra Excelencia las seguridades de mi consideración más distinguida.

[SELLO] H. SÁNCHEZ QUELL
Ministro

A Su Excelencia el Señor Don Arthur A. Ageton
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de America
Ciudad

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

DOTAI No. 837.—

Asunción, July 22, 1955

Mr. Ambassador :

I have the honor to address Your Excellency for the purpose of referring to the agreement between the Government which Your Excellency so worthily represents and my Government, signed at Washington on October 27, 1943, by which the United States Military Aviation Mission in Paraguay was established. I likewise refer to the extensions of the said agreement that were formalized through the exchanges of notes of October 27 and November 20, 1947, and May 31 and July 30, 1951. I refer also to your Embassy's notes No. 92, of April 19, 1954, and No. 187, of June 13, 1955, and to my replies thereto, notes DOTAI Nos. 18 and 782, dated January 13 and July 15, 1955. Lastly, I refer to your Embassy's note No. 17, dated today, which reiterates the suggestions for the amendment of the aforesaid agreement as well as for its further extension.

My Government accepts the amendments proposed by Your Excellency in the last of your above-mentioned notes, amendments which are to be introduced into the original text of the agreement relating to the United States Military Aviation Mission in Paraguay and which consist of those set forth in detail below :

[See note I]

In accordance with the proposal contained in Your Excellency's note No. 17, dated today, my Government considers the said note and this reply concurring therewith as constituting an agreement extending the agreement of the United

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

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

States Air Force Mission in Paraguay, dated October 27, 1943, from October 27, 1953, to the date on which it may terminate as provided in articles IV and V of the aforesaid agreement.

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

[SEAL] H. SÁNCHEZ QUELL
Minister

His Excellency Arthur A. Ageton
Ambassador Extraordinary and Plenipotentiary
of the United States of America
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