

No. 4441

**UNITED STATES OF AMERICA
and
ECUADOR**

Exchange of notes (with related note) constituting an agreement relating to certain free entry privileges for consular officers and nondiplomatic administrative personnel of the two Governments on a reciprocal basis. Quito, 22 October and 6 November 1957

Official texts : English and Spanish.

Registered by the United States of America on 24 July 1958.

**ÉTATS-UNIS D'AMÉRIQUE
et
ÉQUATEUR**

Échange de notes (avec note connexe) constituant un accord relatif à l'octroi réciproque de certains privilèges douaniers aux officiers consulaires et au personnel administratif non diplomatique des deux Gouvernements. Quito, 22 octobre et 6 novembre 1957

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 24 juillet 1958.

No. 4441. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ECUADOR RELATING TO CERTAIN FREE ENTRY PRIVILEGES FOR CONSULAR OFFICERS AND NON-DIPLOMATIC ADMINISTRATIVE PERSONNEL OF THE TWO GOVERNMENTS ON A RECIPROCAL BASIS. QUITO, 22 OCTOBER AND 6 NOVEMBER 1957

I

The Ecuadoran Minister of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION² — TRADUCTION³]

REPÚBLICA DEL ECUADOR

REPUBLIC OF ECUADOR

MINISTERIO DE RELACIONES EXTERIORES

MINISTRY OF FOREIGN RELATIONS

Quito, a 22 oct. 1957

Quito, October 22, 1957

No. 94 DP.

No. 94 DP.

Señor Embajador :

Mr. Ambassador :

Tengo a honra avisar recibo de la atenta nota número 353, fechada el 4 de junio último, mediante la cual Vuestra Excelencia se refiere a la conversación que mantuviéramos el 24 de abril próximo pasado, acerca del otorgamiento de cortesías y franquicias aduaneras a los funcionarios diplomáticos y consulares de carrera de ambos países y miembros de sus familias, así como al personal administrativo, específicamente nombrado y que no tiene otra ocupación lucrativa, para lo cual habría de negociarse un convenio que, sobre una base de reciprocidad, consulte la concesión de privilegios de libre entrada y exenciones aduaneras a las personas comprendidas en tales categorías.

I have the honor to acknowledge receipt of note No. 353⁴, dated June 4, 1957, in which Your Excellency refers to our conversation of April 24, 1957, concerning the granting of customs courtesies and exemptions to diplomatic and consular career officers of the two countries and members of their families, as well as to administrative personnel who are specially appointed and have no other gainful occupation, for which purpose it would be necessary to negotiate an agreement on the granting of free-entry privileges and customs exemptions on a reciprocal basis to persons in these categories.

¹ Came into force on 6 November 1957 by the exchange of the said notes.

² Translation by the Government of the United States of America.

³ Traduction du Gouvernement des États-Unis d'Amérique.

⁴ Not printed by the Department of State of the United States of America.

2.—El Gobierno del Ecuador no puede por menos que acoger con el mayor agrado el deseo expresado por Vuestra Excelencia y está dispuesto a concluir con el Gobierno de los Estados Unidos un Acuerdo que regule estas disposiciones.

3.—En atención a que Vuestra Excelencia manifiesta que de ser acogida favorablemente su proposición, el Gobierno de los Estados Unidos consideraría la nota de esta Cancillería y la respuesta que merezca de esa Honorable Embajada como un convenio formal, me permito señalar que el Gobierno del Ecuador estima :

a) que deben reconocerse iguales privilegios y franquicias que los que se acuerdan a los miembros del servicio diplomático, a los funcionarios de carrera pertenecientes al servicio consular ecuatoriano acreditado en los Estados Unidos y al personal consular norteamericano que presta su concurso en las oficinas consulares que desarrollan su labor específica en el Ecuador, para lo cual se fija la correspondencia de categorías en la siguiente forma :

Cónsul General	
de Primera . .	Ministro Consejero
Cónsul General .	Consejero
Cónsul	
de Primera . . .	Primer Secretario
Cónsul	Segundo Secretario
Vicecónsul	Tercer Secretario, y,

b) el personal administrativo acreditado en uno y otro país gozará de la exención del pago de derechos sobre los artículos de uso personal introducidos en calidad de equipaje, así como también podrá importar un automóvil, libre de gravámenes, dentro del plazo de noventa días a partir de la fecha de su llegada.

2. The Government of Ecuador is very happy to accede to the wishes expressed by Your Excellency and is prepared to conclude with the Government of the United States an agreement containing such provisions.

3. Since Your Excellency states that, if your proposal is favorably received, the Government of the United States will consider the note of this Foreign Office and your Embassy's reply a formal agreement, I take the liberty of pointing out that the Government of Ecuador deems :

(a) That career officers of the Ecuadorian consular service accredited in the United States and American consular personnel who serve in the consular offices that perform their specific work in Ecuador shall be granted the same privileges and exemptions as are granted to members of the diplomatic service, for which purpose the corresponding categories are fixed as follows :

Consul General	
First Class . .	Minister Counselor
Consul General .	Counselor
Consul	
First Class . . .	First Secretary
Consul	Second Secretary
Vice Consul . . .	Third Secretary

(b) The administrative personnel accredited in each country shall be accorded exemption from the payment of duty on articles for personal use introduced as baggage, and shall also be authorized to import an automobile free of duty within a period of ninety days from the date of their arrival.

4.—Apreciaré que Vuestra Excelencia se sirva darme a conocer si encuentra satisfactorios el alcance y los términos de esta proposición, en cuyo caso se considerará esta nota y su respuesta como convenio formal celebrado entre nuestros Gobiernos.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

TOBAR

A Su Excelencia
el Señor don Christian M. Ravndal
Embajador Extraordinario
y Plenipotenciario
de los Estados Unidos
de América

4. I shall appreciate it if Your Excellency will be good enough to inform me whether you find the scope and the terms of this proposal satisfactory, in which case this note and your reply will be considered a formal agreement between our Governments.

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

TOBAR

His Excellency
Christian M. Ravndal
Ambassador Extraordinary
and Plenipotentiary
of the United States
of America

II

The American Ambassador to the Ecuadoran Minister of Foreign Affairs

No. 194

Quito, November 6, 1957

Excellency :

I have the honor to acknowledge receipt of Your Excellency's note number 94 DP., dated October 22, 1957, by which you were good enough to inform me that the Government of Ecuador is prepared to conclude a customs agreement providing for certain free entry privileges for consular officers and nondiplomatic, administrative personnel of our two Governments on a reciprocal basis.

I also have the honor to inform Your Excellency that the Government of the United States of America finds the terms stipulated in Your Excellency's note to be satisfactory, and therefore, in accordance with paragraph "4" of the same communication, your note number 94 and this note in reply thereto are considered as a formal agreement between our Governments.

It is the Embassy's understanding that the phrase "articles for personal use introduced as baggage," in subparagraph "b" of paragraph "3" of Your Excellency's note is to be so construed as to include household effects in the category of items to be allowed duty free entry under the conditions outlined in the same sub-

paragraph. I shall appreciate Your Excellency's confirming the Embassy's interpretation of the above phrase.

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

C. M. RAVNDAL

His Excellency Carlos Tobar Zaldumbide
Minister of Foreign Affairs
Quito

RELATED NOTE

The Ecuadoran Minister of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]

REPÚBLICA DEL ECUADOR

REPUBLIC OF ECUADOR

MINISTERIO DE RELACIONES
EXTERIORES

MINISTRY OF FOREIGN RELATIONS

No. 101-DP

Quito, a 11 nov. 1957

No. 101-DP

Quito, November 11, 1957

Señor Embajador :

Mr. Ambassador :

Tengo a honra avisar recibo de la atenta nota número 197, fechada el 6 del presente mes, mediante la cual Vuestra Excelencia se refiere al formal Acuerdo Aduanero concertado entre nuestros dos Gobiernos, de conformidad al contenido de mi nota número 94 DP., de octubre 22 y la de Vuestra Excelencia número 194, fechada el 6 del mes en curso.

En lo que se refiere al contenido del párrafo 3 de la nota de Vuestra Excelencia, debo confirmar que los efectos o artículos considerados como menaje de casa, podrán internarse amparados por la correspondiente exención de derechos, de conformidad con las condiciones señaladas en el párrafo b) de mi nota antes citada.

I have the honor to acknowledge receipt of note No. 197,³ dated the 6th of this month, in which Your Excellency refers to the formal customs agreement between our two Governments concluded in accordance with the content of my note No. 94-DP. of October 22 and Your Excellency's note No. 194 dated the 6th of this month.

With reference to paragraph 3 of Your Excellency's note, I am to confirm that goods or articles considered household effects may enter duty-free, in accordance with the conditions laid down in paragraph (b) of my note mentioned above.

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

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

³ Not printed by the Department of State of the United States of America.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Por el Ministro,
el Subsecretario :
Jorge ESPINOSA C.

A Su Excelencia
el señor don Christian M. Ravndal
Embajador Extraordinario
y Plenipotenciario
de los Estados Unidos
de América

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

For the Minister :
Jorge ESPINOSA C.
Under Secretary

His Excellency
Christian M. Ravndal
Ambassador Extraordinary
and Plenipotentiary
of the United States
of America