

No. 5268

**UNITED STATES OF AMERICA
and
COLOMBIA**

Exchange of notes constituting an agreement relating to a grant for procurement of nuclear research and training equipment and material. Bogotá, 31 July 1959 and 11 January 1960

Official texts: English and Spanish.

Registered by the United States of America on 29 July 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
COLOMBIE**

Échange de notes constituant un accord relatif à l'octroi d'un don en vue de l'acquisition de matériel et de matières pour la recherche et la formation nucléaires. Bogota, 31 juillet 1959 et 11 janvier 1960

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 29 juillet 1960.

No. 5268. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND COLOMBIA RELATING TO A GRANT FOR PROCUREMENT OF NUCLEAR RESEARCH AND TRAINING EQUIPMENT AND MATERIAL. BOGOTÁ, 31 JULY 1959 AND 11 JANUARY 1960

I

The American Ambassador to the Colombian Minister of Foreign Relations

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 24

Bogotá, July 31, 1959

Excellency :

I have the honor to refer to the letter of the Director of the Instituto Colombiano de Asuntos Nucleares dated May 12, 1956,² concerning a grant to the Government of Colombia by the Government of the United States to assist in the acquisition of certain nuclear research and training equipment and materials, and to inform Your Excellency's Government that approval of this grant has now been given.

I now have the honor to propose the following understandings on the basis of which funds are to be furnished :

1. The equipment and materials to be acquired in accordance with this note shall be used for peaceful purposes only.

2. The Government of Colombia shall procure, or arrange for procurement of, all equipment and materials to be financed hereunder, and shall meet the costs of transportation, insurance while in transit, installation, and operation of this equipment and material.

3. The Government of Colombia shall insure that 50 percent of the gross tonnage of equipment and materials financed hereunder which may be transported on ocean vessels shall be transported on United States-flag vessels, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.

4. Funds granted by the Government of the United States shall be available only to purchase such equipment and materials, or their equivalents, and in amounts not in excess of such prices as may be established by the United States Atomic Energy Commission. Any difference between the amount established by the Commission and the actual cost may not be applied toward purchase of other items.

¹ Came into force on 11 January 1960 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

5. The manner and procedures for reimbursement to the Government of Colombia for procurement of equipment and materials as provided in this note shall be established by the United States Atomic Energy Commission and notified to the Government of Colombia.

6. Copies of technical publications deriving from use of equipment and materials financed hereunder will be provided currently to the Government of the United States, and an appropriate plaque acknowledging the assistance of the Government of the United States will be permanently displayed in the laboratory in which the equipment and materials financed hereunder are located.

7. The Government of Colombia shall indemnify and save harmless the Government of the United States against any and all liabilities from any cause whatsoever, including third party liability, which may result from the operation or use of any equipment and materials furnished hereunder.

If these understandings are acceptable to Your Excellency's Government, this note and Your Excellency's reply concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

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

Dempster McINTOSH

M. K. W.

His Excellency Julio César Turbay Ayala
Minister of Foreign Relations
Bogotá

II

The Colombian Minister of Foreign Relations to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES

Nº D/OI 30

Bogotá, enero 11 de 1960

Señor Embajador :

Tengo el honor de referirme a la nota de Vuestra Excelencia, número 24 de 31 de julio de 1959, que trata sobre la adquisición por parte del Gobierno de Colombia, con el apoyo del Gobierno de los Estados Unidos, de un equipo especial y de materiales complementarios de adiestramiento e investigación nuclear.

Me complace informar a Vuestra Excelencia que el Gobierno de Colombia acepta las bases de entendimiento exigidas por el Gobierno de los Estados Unidos en la nota en referencia, y que son las siguientes :

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN RELATIONS

No. D/OI 30

Bogotá, January 11, 1960

Mr. Ambassador :

I have the honor to refer to Your Excellency's note, No. 24 of July 31, 1959, concerning the acquisition by the Government of Colombia, with the help of the Government of the United States, of special equipment and supplementary materials for nuclear training and research.

I take pleasure in informing Your Excellency that the Government of Colombia accepts the bases of understanding specified by the Government of the United States in the above-mentioned note, which are as follows :

[*See note I*]

In so presenting this matter, the Government of Colombia notes that a list of equipment and supplementary materials for nuclear training and research appears in the enclosure to the Embassy's note No. 28 of July 31, 1959.³ That note establishes certain secondary budgetary requisites in this matter, to which the Government of Colombia also agrees.

In the foregoing terms, it is agreed that this note and Your Excellency's above-mentioned notes constitute an understanding between our two Governments on this matter.

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

Julio César TURBAY

His Excellency Dempster McIntosh
Ambassador Extraordinary and Plenipotentiary
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.

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