

No. 5282

**UNITED STATES OF AMERICA
and
CHILE**

Exchange of notes constituting an agreement relating to a grant for procurement of nuclear research and training equipment and materials. Santiago, 23 July 1959 and 19 February 1960

Official texts: English and Spanish.

Registered by the United States of America on 4 August 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHILI**

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. Santiago, 23 juillet 1959 et 19 février 1960

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 4 août 1960.

No. 5282. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CHILE RELATING TO A GRANT FOR PROCUREMENT OF NUCLEAR RESEARCH AND TRAINING EQUIPMENT AND MATERIALS. SANTIAGO, 23 JULY 1959 AND 19 FEBRUARY 1960

I

The American Ambassador to the Chilean Minister for Foreign Affairs

No. 15

Santiago, July 23, 1959

Excellency :

I have the honor to refer to Notes 9504 and 9505 of the Ministry of Foreign Affairs dated June 17, 1958,² concerning a grant to the Government of Chile 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 to Your Excellency 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 Chile 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 Chile 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.

5. The manner and procedures for reimbursement to the Government of Chile 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 Chile.

¹ Came into force on 19 February 1960 by the exchange of the said notes.

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

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 Chile 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.

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

Walter HOWE

Enclosures :¹

Two copies, equipment requirements, University of Chile and Catholic University of Chile.

His Excellency Germán Vergara Donoso
Minister for Foreign Affairs
Santiago

II

The Chilean Acting Under Secretary of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION² — TRADUCTION³]

REPÚBLICA DE CHILE

REPUBLIC OF CHILE

DP/AE
N° 02407

DP/AE
No. 02407

Santiago, 19 feb. 1960

Santiago, February 19, 1960

Señor Embajador :

Mr. Ambassador :

Tengo el honor de referirme a su atenta Nota N° 15, de 23 de julio último, por la que Vuestra Excelencia tuvo la gentileza de comunicarme que el Gobierno de los Estados Unidos de América había decidido donar equipos de investigación nuclear a las Universidades de Chile y Católica de Santiago.

I have the honor to refer to your courteous note No. 15 of July 23, 1959, in which Your Excellency was good enough to inform me that the Government of the United States of America had decided to donate nuclear research equipment to the University of Chile and the Catholic University of Santiago.

¹ Not printed by the Department of State of the United States of America.

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

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

Junto con agradecer a Vuestra Excelencia la generosa oferta de su Gobierno, que mi país acepta complacido, me es grato comunicarle que, en lo que respecta al equipo destinado a la Universidad de Chile, el Ministerio de Relaciones Exteriores designa como su representante para todos los efectos relacionados con la tramitación de esta donación (elección, compra, embarque, contratación de seguros, etc.) al Instituto de Física y Matemáticas de la Universidad citada. Próximamente comunicaré a Vuestra Excelencia quién representará al Ministerio en lo que respecta al equipo destinado a la Universidad Católica.

Me permito hacer presente a Vuestra Excelencia que el Gobierno de Chile está de acuerdo con las condiciones expresadas en su Nota N° 15, tal como fueron complementadas por la Nota N° 151 de la Embajada de los Estados Unidos de América, de 24 de diciembre último.

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

Fernando ORREGO VICUÑA

Al Excelentísimo
Señor Walter Howe
Embajador Extraordinario
y Plenipotenciario
de los Estados Unidos de América
Presente

In addition to thanking Your Excellency for your Government's generous offer, which my country gladly accepts, I take pleasure in advising you that, with respect to the equipment intended for the University of Chile, the Ministry of Foreign Relations designates the Institute of Physics and Mathematics of the aforementioned University as its representative in all matters relating to the handling of this donation (selection, purchase, shipment, insurance, etc.). I shall send Your Excellency shortly the name of the Ministry's representative with respect to the equipment intended for the Catholic University.

I take the liberty of informing Your Excellency that the Government of Chile is agreeable to the conditions specified in your note No. 15, as supplemented by note No. 151 of December 24, 1959,¹ from the Embassy of the United States of America.

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

Fernando ORREGO VICUÑA

His Excellency
Walter Howe
Ambassador Extraordinary
and Plenipotentiary
of the United States of America
City

¹ Not printed by the Department of State of the United States of America.