

No. 5312

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**UNITED STATES OF AMERICA  
and  
GUATEMALA**

**Exchange of notes constituting an agreement relating to a  
grant for procurement of nuclear research and training  
equipment and materials. Guatemala, 7 and 23 April  
1960**

*Official texts: English and Spanish.*

*Registered by the United States of America on 17 August 1960.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
GUATEMALA**

**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.  
Guatemala, 7 et 23 avril 1960**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 17 août 1960.*

No. 5312. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND GUATEMALA RELATING TO A GRANT FOR PROCUREMENT OF NUCLEAR RESEARCH AND TRAINING EQUIPMENT AND MATERIALS. GUATEMALA, 7 AND 23 APRIL 1960

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I

*The American Ambassador to the Guatemalan Minister of Foreign Relations*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 173

Guatemala, April 7, 1960

Excellency:

I have the honor to refer to the letters of the Comisión Nacional de Energia Nuclear dated May 30 and September 12, 1958,<sup>2</sup> concerning a grant to the Government of Guatemala 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 Guatemala 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 Guatemala 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.

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<sup>1</sup> Came into force on 23 April 1960 by the exchange of the said notes.

<sup>2</sup> Not printed by the Department of State of the United States of America.

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

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 Guatemala 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.

John J. MUCCIO

His Excellency Jesús Unda Murillo  
Minister of Foreign Relations  
Guatemala

## II

*The Guatemalan Minister of Foreign Relations to the American Ambassador*

[SPANISH TEXT — TEXTE ESPAGNOL]

MINISTERIO DE RELACIONES EXTERIORES  
REPÚBLICA DE GUATEMALA

Sección Diplomática  
Dirección de Tratados  
II-I

9092

Guatemala, 23 de abril de 1960

Señor Embajador :

Tengo el agrado de acusar recibo de la muy atenta nota de Vuestra Excelencia número 173, de fecha 7 de abril en curso, por medio de la cual y refiriéndose a las notas que ha recibido de la Comisión Nacional de Energía Nuclear, tiene a bien proponer a mi Gobierno las bases sobre las cuales el Ilustrado Gobierno de los Estados Unidos de América suministrará los fondos necesarios, en forma de ayuda, para adquirir cierto equipo y material necesarios para las investigaciones nucleares y para el entrenamiento correspondiente.

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

J. UNDA MURILLO

Excelentísimo Señor John Joseph Muccio  
Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América  
Ciudad

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

MINISTRY OF FOREIGN RELATIONS  
REPUBLIC OF GUATEMALA

Diplomatic Section  
Treaty Division  
II-I

9092

Guatemala, April 23, 1960

Mr. Ambassador :

I take pleasure in acknowledging receipt of Your Excellency's courteous note No. 173 dated April 7 last, whereby, referring to the notes that you have received from the Comisión Nacional de Energía Nuclear, you propose to my Government the bases on which the Government of the United States of America will furnish the necessary funds, in the form of aid, to acquire certain equipment and materials necessary for nuclear research and training.

You also state that, if such bases are acceptable to my Government, Your Excellency's note to which I refer and my reply shall constitute an agreement between our respective Governments.

In reply, I am to inform Your Excellency that the Government of Guatemala gratefully accepts the aid of your Government, since, thanks to such assistance, it will be possible to expedite the acquisition of equipment that will serve to combat disease in my country. Likewise, in conformity with the terms of the valued note to which this is a reply, I declare that the acceptance of this aid is subject to the following conditions :

[See note I]

Your Excellency's note to which this is a reply and this note constitute an agreement between our respective Governments, which shall enter into force on this date.

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

J. UNDA MURILLO

His Excellency John Joseph Muccio  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
City

<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.