

No. 6664

**UNITED STATES OF AMERICA
and
GUATEMALA**

**Exchange of notes constituting an agreement relating to the
furnishing of defense articles and defense services.
Guatemala, 25 May and 2 August 1962**

Official texts : English and Spanish.

Registered by the United States of America on 24 April 1963.

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

**Échange de notes constituant un accord relatif à la fourni-
ture de matériel et de services de caractère militaire.
Guatemala, 25 mai et 2 août 1962**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 24 avril 1963.

No. 6664. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND GUATEMALA RELATING TO THE FURNISHING OF DEFENSE ARTICLES AND DEFENSE SERVICES. GUATEMALA, 25 MAY AND 2 AUGUST 1962

I

The American Ambassador to the Guatemalan Minister of Foreign Relations

EMBASSY OF THE UNITED STATES OF AMERICA

Guatemala, May 25, 1962

No. 125

Excellency :

I have the honor to refer to recent conversations between the representatives of our two Governments concerning the furnishing of military assistance to the Government of Guatemala for the purpose of contributing to its internal security capabilities. I am pleased to inform Your Excellency that the Government of the United States of America is prepared to furnish such assistance for this purpose as may be mutually agreed by representatives of our two governments, subject to the following understandings :

1. Defense articles and defense services shall be or continue to be furnished for internal security purposes in accordance with the terms and conditions of the Military Assistance Agreement between the United States of America and the Republic of Guatemala, signed June 18, 1955,² at Guatemala City. In view of the special purpose of assistance furnished hereunder, however, the requirements of the third sentence of Article I, paragraph 1, of that Military Assistance Agreement, and so much of the requirements of the first sentence of Article I, paragraph 2, thereof as relates to implementation of defense plans under which our two governments participate in missions important to the defense and maintenance of the peace of the Western Hemisphere shall not be applicable to such assistance.

2. Defense articles and defense services furnished hereunder may be used for the purpose of implementing the defense plans referred to in paragraph number 1 of this note when not required for the purpose of maintaining internal security and, at such time as so used, shall be subject to all the requirements of the Military Assistance Agreement referred to in paragraph number 1 of this note.

¹ Came into force on 2 August 1962 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 262, p. 105, and Vol. 307, p. 306.

3. Defense articles and defense services furnished hereunder shall be subject to the Agreement effected by an exchange of notes signed at Guatemala City on December 16, 1957,¹ which relates to disposition of military equipment and materials no longer required for the purpose furnished, at such time as the defense articles or defense services are no longer required for the purposes stated in paragraphs numbered 1 and 2 of this note.

I have the honor to propose that, if these understandings are acceptable to your 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 reply.

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

John O. BELL

His Excellency Jesús Unda Murillo
Minister of Foreign Relations
Republic of 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

Guatemala, 2 de agosto de 1962

18710

Excelencia :

Tengo el honor de acusar recibo de la atenta nota de Vuestra Excelencia, número 125, fechada el 25 de mayo del año en curso, en la cual se refiere a las conversaciones celebradas entre los representantes de nuestros dos Gobiernos, acerca de la prestación de ayuda militar al Gobierno de Guatemala, con el objeto de contribuir a su seguridad interior, y me manifiesta que el Gobierno de los Estados Unidos de América está dispuesto a prestar tal ayuda, con sujeción a las siguientes condiciones :

1. Artículos y servicios relativos a la defensa serán o seguirán siendo suministrados con vista a seguridad interior de acuerdo con los términos y condiciones previstos en el Convenio de Ayuda Militar celebrado entre los Estados Unidos de América y la República de Guatemala y firmado el 18 de Junio de 1955 en la Ciudad de Guatemala. Por el propósito especial de ayuda prestada de conformidad con el presente Acuerdo, sin embargo, los

¹ United Nations, *Treaty Series*, Vol. 307, p. 306.

requisitos indicados en la tercera frase del Artículo I, párrafo 2,¹ de aquel Convenio de Ayuda Militar, y, entre los requisitos indicados en la primera frase del Artículo I, párrafo 2, del mismo, la parte relativa a la ejecución de programas de defensa de acuerdo con los cuales nuestros dos Gobiernos participan en misiones importantes para la defensa y el mantenimiento de la paz en el Hemisferio Occidental, no serán aplicables a dicha ayuda.

2. Artículos y servicios relativos a la defensa, suministrados de conformidad con el presente Acuerdo, podrán aprovecharse con el objeto de llevar a cabo los programas de defensa mencionados en el párrafo 1 de la presente Nota, cuando no fueren requeridos en interés del mantenimiento de la seguridad interior y, cuando se aprovechen en esta forma, quedarán sujetos a todos los requisitos del Convenio de Ayuda Militar mencionado en el párrafo 1 de la presente Nota.

3. Artículos y servicios relativos a la defensa, suministrados de conformidad con el presente Acuerdo, quedarán sujetos al Convenio celebrado por medio del intercambio de Notas firmadas en la Ciudad de Guatemala el 16 de Diciembre de 1957, relativo al destino de equipo y material militar proporcionado que ya no se requiere, en el momento en que los artículos o los servicios relativos a la defensa ya no se requieren para los usos para los cuales fueron suministrados, previstos en los párrafos 1 y 2 de la presente Nota.

En respuesta, me permito manifestar a Vuestra Excelencia, que el Gobierno de Guatemala acepta tales disposiciones, y, por consiguiente, de conformidad con lo sugerido por Vuestra Excelencia, la nota de esa Honorable Embajada del 25 de mayo en curso y la presente nota constituyen un Acuerdo entre nuestros dos Gobiernos, el cual entrará en vigor en la presente fecha.

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

J. UNDA MURILLO

Excelentísimo Señor John O. Bell
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Ciudad

[TRANSLATION² — TRADUCTION³]

MINISTRY OF FOREIGN RELATIONS
REPUBLIC OF GUATEMALA
Diplomatic Section

Guatemala, August 2, 1962

18710

Excellency :

I have the honor to acknowledge receipt of Your Excellency's note No. 125, dated May 25 of this year, in which you refer to the conversations held between the

¹ According to the information provided by the Government of the United States of America, this should read "párrafo 1,".

D'après les indications fournies par les États-Unis d'Amérique, il convient de lire «párrafo 1,».

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

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

representatives of our two Governments concerning the furnishing of military assistance to the Government of Guatemala for the purpose of contributing to its internal security and inform me that the Government of the United States of America is prepared to furnish such assistance, subject to the following conditions :

[See note I]

In reply, I take the liberty of informing Your Excellency that the Government of Guatemala accepts these provisions and that, consequently, as suggested by Your Excellency, your Embassy's note of May 25 of this year and this note constitute an agreement between our two Governments, which shall enter into force on this date.

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

J. UNDA MURILLO

His Excellency John O. Bell
Ambassador Extraordinary and Plenipotentiary
of the United States of America
City
