

**No. 7125**

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**UNITED STATES OF AMERICA  
and  
ECUADOR**

**Agreement for financing certain educational exchange programs. Signed at Quito, on 20 September 1963**

*Official texts: English and Spanish.*

*Registered by the United States of America on 11 February 1964.*

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

**Accord relatif au financement de certains programmes d'échanges dans le domaine de l'enseignement. Signé à Quito, le 20 septembre 1963**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 11 février 1964.*

No. 7125. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF ECUADOR FOR FINANCING CERTAIN EDUCATIONAL EXCHANGE PROGRAMS. SIGNED AT QUITO, ON 20 SEPTEMBER 1963

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The Government of the United States of America and the Government of Ecuador :

Desiring to promote further mutual understanding between the peoples of the United States of America and Ecuador by a wider exchange of knowledge and professional talents through educational activities ;

Have agreed as follows :

*Article 1*

There shall be established a commission to be known as the Commission for Educational Exchange between the United States of America and Ecuador (hereinafter designated "the Commission"), which shall be recognized by the Government of the United States of America and the Government of Ecuador as an organization created and established to facilitate the administration of an educational program to be financed by funds made available to the Commission by the Government of the United States of America.

Except as provided in Article 3 hereof the Commission shall be exempt from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present Agreement. The funds and property which may be acquired with the funds in furtherance of the purposes of the Agreement shall be regarded in Ecuador as property of a foreign government.

The funds made available under the present Agreement, within the conditions and limitations hereinafter set forth, shall be used by the Commission or such other instrumentality as may be agreed upon by the Government of the United States of America and the Government of Ecuador for the purposes of :

- 1) Financing studies, research, instruction, and other educational activities
- (i) of or for citizens and nationals of the United States of America in Ecuador, and
- (ii) of or for citizens and nationals of Ecuador in United States of America schools and institutions of learning located in or outside the United States of America ;

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<sup>1</sup> Came into force on 20 September 1963, upon signature, in accordance with article 11.

2) Financing visits and interchanges between the United States of America and Ecuador of students, trainees, teachers, instructors and professors ; and,

3) Financing such other related educational and cultural programs and activities as are provided for in budgets approved in accordance with Article 3 hereof.

### *Article 2*

In furtherance of the aforementioned purposes, the Commission may, subject to the provisions of the present Agreement, exercise all powers necessary to the carrying out of the purposes of the present Agreement, including the following :

1) Plan, adopt and carry out programs in accordance with the purposes of the present Agreement ;

2) Recommend to the Board of Foreign Scholarships of the United States of America, students, trainees, professors, research scholars, teachers, instructors, resident in Ecuador, and institutions of Ecuador qualified to participate in the program ;

3) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the program as it may deem necessary for achieving the purposes and objectives of the present Agreement ;

4) Acquire, hold, and dispose of property in the name of the Commission as the Commission may consider necessary or desirable, provided, however, that the acquisition of any real property shall be subject to the prior approval of the Secretary of State ;

5) Authorize the Treasurer of the Commission or such other person as the Commission may designate to receive funds to be deposited in bank accounts in the name of the Treasurer of the Commission or such other person as may be designated. The appointment of the Treasurer or such designee shall be approved by the Secretary of State. The Treasurer shall deposit funds received in a depository or depositories designated by the Secretary of State.

6) Authorize the disbursement of funds and the making of grants and advances of funds for the authorized purposes of the present Agreement, including payment for transportation, tuition, maintenance and other expenses incident thereto ;

7) Provide for periodic audits of the accounts of the Treasurer of the Commission as directed by auditors selected by the Secretary of State ;

8) Incur administrative expenses as may be deemed necessary out of funds made available under the present Agreement ;

9) Administer or assist in administering or otherwise facilitate educational and cultural programs and activities that further the purposes of the present Agreement but are not financed by funds made available under the Agreement, provided, however, that such programs and activities and the Commission's role therein shall be fully described in annual or special reports made to the Secretary of State and to the Government of Ecuador as provided in Article 6 hereof, and provided that no objection is interposed by either the Secretary of State or the Government of Ecuador to the Commission's actual or proposed role therein.

#### *Article 3*

All commitments, obligations, and expenditures authorized by the Commission shall be made in accordance with an annual budget, to be approved by the Secretary of State.

#### *Article 4*

The Commission shall consist of eight members, four of whom shall be citizens of the United States of America and four of whom shall be citizens of Ecuador. In addition, the principal officer in charge of the Diplomatic Mission of the United States of America to Ecuador (hereinafter designated "Chief of Mission") shall be Honorary Chairman of the Commission. He shall cast the deciding vote in the event of a tie vote by the Commission. He shall have the power of appointment of all members of the Commission. Of the citizens of the United States of America, two shall be officers of the United States Foreign Service establishment in Ecuador; one of them shall serve as Chairman of the Commission, and one of them shall serve as Treasurer.

The members shall serve from the time of their appointment until the following August 31 and shall be eligible for reappointment. Vacancies by reason of resignation, transfer of residence outside Ecuador, expiration of service, or otherwise, shall be filled in accordance with the appointment procedure set forth in this article.

The members shall serve without compensation but the Commission may authorize the payment of the necessary expenses of the members in attending the meetings of the Commission and in performing other official duties assigned by the Commission.

#### *Article 5*

The Commission shall adopt such by-laws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Commission.

#### *Article 6*

Reports to the Secretary of State of the United States of America and to the Government of Ecuador, acceptable in form and content, shall be made annually on the activities of the Commission. Special reports may be made more often at

the discretion of the Commission or at request of either the Secretary of State of the United States of America or the Government of Ecuador.

#### *Article 7*

The principal office of the Commission shall be in the capital city of Ecuador, but meetings of the Commission and any of its committees may be held in such other places as the Commission may from time to time determine, and the activities of any of the Commission's officers or staff may be carried on at such places as may be approved by the Commission.

#### *Article 8*

The Government of the United States of America and the Government of Ecuador agree that there may be used for the purposes of this Agreement any funds, including currency of Ecuador, held or available for expenditure by the Government of the United States of America for such purposes.

The Secretary of State will make available for expenditure as authorized by the Commission funds in such amounts as may be required for the purposes of this Agreement but in no event may amounts in excess of the Budgetary limitations established pursuant to Article 3 of the present Agreement be expended by the Commission.

The performance of this Agreement shall be subject to the availability of appropriations to the Secretary of State when required by laws of the United States of America.

#### *Article 9*

The Government of the United States of America and the Government of Ecuador shall make every effort to facilitate the exchange-of-persons programs authorized in this Agreement and the Convention for the Promotion of Inter-American Cultural Relations<sup>1</sup> and to resolve problems which may arise in the operations thereof.

#### *Article 10*

Wherever, in the present Agreement, the term "Secretary of State" is used, it shall be understood to mean the Secretary of State of the United States of America or any officer or employee of the Government of the United States of America designated by him to act in his behalf.

#### *Article 11*

The present Agreement may be amended by the exchange of diplomatic notes between the Government of the United States of America and the Government of Ecuador.

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<sup>1</sup> United States of America : *Treaties and Other International Acts Series 3936*.

The present Agreement supersedes the Agreement between the Government of the United States of America and the Government of Ecuador signed at Quito on October 31, 1956, as amended on May 9, 1961.<sup>1</sup>

The present Agreement shall come into force on the present date.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Agreement.

DONE at Quito, in duplicate, in the English and Spanish languages each of which shall be of equal authenticity this 20 day of September of 1963.

For the Government of the United States of America :

Samuel O. LANE  
Chargé d'Affaires ad-interim

For the Government of Ecuador :

Dr. N. PONCE  
Minister of Foreign Affairs

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<sup>1</sup> United Nations, *Treaty Series*, Vol. 283, p. 151, and Vol. 424, p. 352.