

MILITARY SERVICE

Exchange of notes at Washington April 2 and 5, 1945

Entered into force April 5, 1945

*Terminated March 31, 1947*¹

59 Stat. 1598; Executive Agreement Series 475

The Secretary of State to the Ecuadorean Ambassador

DEPARTMENT OF STATE

WASHINGTON

April 2, 1945

EXCELLENCY:

I have the honor to refer to the verbal indication made on March 23, 1945, by an officer of the Ecuadoran Embassy to an officer of the Department of State that Your Excellency's Government desires to conclude an agreement with this Government with respect to the application of the United States Selective Training and Service Act of 1940, as amended,² to Ecuadoran nationals residing in the United States.

As you are aware, the Act provides that with certain exceptions every male citizen of the United States and every other male person between the ages of eighteen and sixty-five residing in the United States shall register. The Act further provides that, with certain exceptions, registrants within specified age limits are liable for active military service in the United States armed forces.

This Government recognizes that from the standpoint of morale of the individuals concerned and the over-all military effort of the countries at war with the Axis Powers, it is desirable to permit certain nationals of cobelligerent countries who have registered or who may register under the Selective Training and Service Act of 1940, as amended, to enlist in the armed forces of their own country, should they desire to do so. It will be recalled that during the World War this Government signed conventions with certain associated powers on this subject. The United States Government believes, however, that under existing circumstances the same ends may now be accomplished through administrative action, thus obviating the delays incident to the signing and ratification of conventions.

¹ Upon termination of functions of U.S. Selective Service System (60 Stat. 341).

² 54 Stat. 885.

This Government has, therefore, initiated a procedure permitting aliens who have registered under the Selective Training and Service Act of 1940, as amended, who are nationals of certain cobelligerent countries and who have not declared their intention of becoming American citizens to elect to serve in the forces of their respective countries, in lieu of service in the armed forces of the United States, at any time prior to their induction into the armed forces of this country. This Government is also affording to such nationals, who may already be serving in the armed forces of the United States, an opportunity of electing to transfer to the armed forces of their own country. The details of the procedure are arranged directly between the War Department and the Selective Service System on the part of the United States Government and the appropriate authorities of the cobelligerent government concerned. It should be understood, however, that in all cases a person exercising an option under the procedure must actually be accepted by the military authorities of the country of his allegiance before his departure from the United States.

Before the above-mentioned procedure is made effective with respect to a cobelligerent country, this Department wishes to receive from the diplomatic representative in Washington of that country a note stating that his government desires to avail itself of the procedure and in so doing agrees that:

(a) No threat or compulsion of any nature will be exercised by his government to induce any person in the United States to enlist in the forces of his or any foreign government;

(b) Reciprocal treatment will be granted to American citizens by his government; that is, prior to induction in the armed forces of his government they will be granted the opportunity of electing to serve in the armed forces of the United States in substantially the same manner as outlined above. Furthermore, his government shall agree to inform all American citizens serving in its armed forces or former American citizens who may have lost their citizenship as a result of having taken an oath of allegiance on enlistment in such armed forces and who are now serving in those forces that they may transfer to the armed forces of the United States provided they desire to do so and provided they are acceptable to the armed forces of the United States. The arrangements for effecting such transfers are to be worked out by the appropriate representatives of the armed forces of the respective governments;

(c) No enlistments will be accepted in the United States by his government of American citizens subject to registration or of aliens of any nationality who have declared their intention of becoming American citizens and are subject to registration.

This Government is prepared to make the proposed regime effective immediately with respect to Ecuador upon the receipt from you of a note

stating that your Government desires to participate in it and agrees to the stipulations set forth in lettered paragraphs (a), (b), and (c) above.

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

For the Secretary of State:

NELSON A. ROCKEFELLER

His Excellency,
Señor GALO PLAZA,
Ambassador of Ecuador.

The Ecuadorean Ambassador to the Secretary of State

[TRANSLATION]

EMBASSY OF ECUADOR
WASHINGTON

No. 65

APRIL 5, 1945

MR. SECRETARY:

I have the honor to inform Your Excellency that I have received instructions from my Government to accept the administrative arrangement proposed by Your Excellency in your note of the second instant, with respect to the application of the 1940 United States Selective Training and Service Act to Ecuadorean citizens.

The Ecuadorean Government accepts, on reciprocal terms, the option proposed in favor of Ecuadorean citizens registered under the said law or at present serving under the United States flag, to request their incorporation or transfer to the Ecuadorean Army, as well as the guarantees stipulated in paragraphs (a), (b), and (c) of the said note.

The Government of Ecuador is willing to have the said arrangement become immediately effective and to discuss the details of its application with the appropriate authorities of the United States Government.

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

GALO PLAZA

His Excellency
EDWARD R. STETTINIUS, Jr.,
Secretary of State,
Washington, D.C.