

MILITARY AVIATION MISSION

Exchange of notes at Washington March 23 and May 17, 1949, amending and extending agreement of December 12, 1940, as amended and extended

Entered into force May 17, 1949; operative from December 12, 1948

63 Stat. 2543; Treaties and Other
International Acts Series 1942

The Secretary of State to the Ecuadorean Ambassador

DEPARTMENT OF STATE
WASHINGTON

Mar 23 1949

822.20 Missions/1-1849

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 13 of January 18, 1949 requesting the renewal of the Agreement entered into on December 12, 1940,¹ modified by an additional article on April 30, 1941² to run concurrently with the Agreement, and renewed for a period of four years by an exchange of notes dated June 13 and July 13, 1944³ between the Governments of the United States of America and the Republic of Ecuador, providing for a United States Military Aviation Mission to Ecuador.

In your note of January 18, 1949 it was indicated that the Government of Ecuador desires to renew this Agreement for a period of two years, the renewal to commence on the termination of the present Agreement on December 12, 1948. It was also proposed that Article 4 contain the following subparagraph:

“(c) Upon request by the Government of Ecuador that the entire personnel of the Mission be withdrawn, in the public interest of Ecuador without the necessity of compliance with Clause (a) of this Article.”

and that Article 9 be amended to read as follows:

¹ EAS 189, *ante*, p. 354.

² EAS 207, *ante*, p. 361.

³ Not printed.

“Each member of the Mission shall serve on the Mission with the rank he holds in the United States Air Force and shall wear the uniform of his rank in the United States Air Force.”

The above-mentioned proposals were transmitted to the Department of the Air Force and a reply has now been received indicating that, while that Department would be glad to extend the Air Mission Agreement for the suggested period of two years, it would not be possible to include the above-quoted amendments. On the other hand the Department of the Air Force has requested that the additional article signed on April 30, 1941 to the basic Agreement of December 12, 1940 for the assignment of a United States Military Aviation Mission to Ecuador be amended to read as follows:

“Each member of the Mission and his family shall be furnished by the Government of the Republic of Ecuador with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in Ecuador, both for the outward and for the return voyage. The Government of the Republic of Ecuador shall also pay all expenses of shipment of household effects, baggage and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in Ecuador, as well as all expenses incidental to the transportation of such household effects, baggage and automobile from Ecuador to the port of entry in the United States of America. Transportation of such household effects, baggage and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects and automobiles, in the case of personnel who may join the Mission for temporary duty at the request of the Ministry of Defense of the Republic of Ecuador, shall not be required under this Agreement, but shall be determined by negotiations between the Department of the Air Force of the United States of America and the authorized representative of the Ministry of Defense of the Republic of Ecuador in Washington at such time as the detail of personnel for such temporary duty may be agreed upon.”⁴

The Department of the Air Force desires the following substitutions in the wording of the basic Agreement in order that the current organization of the United States Air Force may be properly reflected:

a. Preamble: Substitute “United States Air Force Mission” in lieu of “Military Aviation Mission.”

⁴ For an amendment in the payment and benefit procedures under the additional article, as amended, see agreement of Feb. 25 and May 22, 1959 (10 UST 1095; TIAS 4249).

b. Article 6: Delete "Lieutenant Colonel or Major." Substitute "Department of the Air Force" in lieu of "War Department" and "United States Air Force" in lieu of "United States Army Air Corps" wherever it appears in this Article.

c. Article 9: Substitute "United States Air Force" in lieu of "United States Army Air Corps" wherever it appears in this Article.

d. Article 11: Substitute "United States Air Force" in lieu of "United States Army Air Corps."

In the event that the above proposals are acceptable to your Government, I shall consider this note and your response to that effect as completing the Agreement between the two Governments for the renewal of the Agreement of 1940, notwithstanding the provision of Title I, Article 3.

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

For the Secretary of State:

DEAN RUSK

His Excellency

Señor DON AUGUSTO DILLON,
Ambassador of Ecuador.

The Ecuadorean Ambassador to the Secretary of State

[TRANSLATION]

EMBASSY OF ECUADOR
WASHINGTON

No. 149

MAY 17, 1949

EXCELLENCY:

I have the honor to inform Your Excellency that my Government has given due consideration to your courteous note No. 822.20 of March 23, 1949, relative to the extension of the agreement between our two Governments on the United States Military Air Mission in Ecuador.

In this connection, I have just received instructions to inform Your Excellency that the Ministry of National Defense of Ecuador accepts the amendments proposed by the Department of State in the agreement that establishes the aforementioned Mission.

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

A. DILLON

Ambassador of Ecuador

His Excellency

DEAN ACHESON

Secretary of State

Washington, D.C.