

ARREST AND DETENTION

Informal arrangement signed at Panama September 18 and October 15, 1947

Entered into force October 15, 1947

Department of State files

The American Embassy to the Ministry for Foreign Affairs

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and, with a view to assisting the Panamanian authorities as well as the American citizens concerned, has the honor to present for the Ministry's consideration the suggestion that the Embassy (or the Consulate in Colón as the case may be) be promptly advised when American merchant seamen or American tourists are brought before a Magistrate's Court for infraction of some law or regulation.

It is the Embassy's understanding that generally when an American merchant seaman or an American tourist is brought before a Magistrate's Court it is for some minor charge and that the Magistrate has the option of imposing either a jail sentence or a fine. Naturally the Embassy has no desire to interfere with the course of justice. The Embassy's only desire is that through the notification suggested some authorized United States official may present himself at the Court without delay and perhaps assist in the speedy settlement of the case to the satisfaction of the Magistrate and at the same time obviate any possibility that the American citizen might miss his connections for onward travel.

The foregoing suggestion has been made by way of supplementing the procedure followed by the Police authorities of Panamá with the Shore Patrol and Military Police of the armed forces of the United States in cases involving members of the United States armed forces.

It is hoped that this suggestion will be considered by the Panamanian authorities concerned only as an effort of this Embassy further to develop the cooperative and happy relations which exist between the Courts and the Police of Panamá on the one hand and the Embassy and the Consulate in Colón on the other.

PANAMÁ, R.P.,

September 18, 1947.

The Ministry for Foreign Affairs to the American Embassy

[TRANSLATION]

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to refer to the Embassy's note verbale, dated September 18 last, in which it was good enough to submit to the Ministry for consideration a proposal to the effect that the Embassy (or the Consulate at Colón as the case may be) be notified whenever seamen from American merchant vessels or American tourists are taken before a Police Court for some minor violation.

The Ministry has taken due note of the arguments presented by the Embassy in its aforementioned note in support of the suggestion made.

In this connection, we wish to state that the Government of Panama, as a gesture of cooperation with a friendly nation, accepts the Embassy's suggestion with the understanding that it is a matter of desiring to eliminate difficulties for Americans in transit through Panamanian territory, and that it does not imply any obligation on the part of the Government of Panama, since this may be discontinued whenever deemed advisable.

In view of this arrangement, the Ministry of Government and Justice has addressed the various courts that would take cognizance of these cases, suggesting to them that they handle these cases just as they do cases of members of the armed forces of the United States.

M. DE D.

PANAMA CITY,
October 15, 1947