

NAVAL AVIATION MISSION

*Exchange of notes at Washington January 31, February 18, April 6
and 29, and May 2, 1944, amending and extending agreement
of July 31, 1940*

Entered into force July 31, 1944

Mission agreement expired September 30, 1946

58 Stat. 1249; Executive Agreement Series 402

The Peruvian Ambassador to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON, D.C.

JANUARY 31, 1944

YOUR EXCELLENCY:

In accordance with the provision of Article Three of the Agreement signed between the United States of America and Peru¹ for the appointment of officers and enlisted men to constitute a Naval Aviation Mission in the Republic of Peru, I have the honor to inform Your Excellency that my Government desires that the said services be extended for an identical period as the actual Agreement in force, the renewal to commence upon the termination of the present Agreement on July 31, 1944.

I will appreciate if Your Excellency would be kind enough to inform me if my Government's proposal is satisfactory to the Government of the United States.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

M. DE FREYRE Y S.

His Excellency,

CORDELL HULL,

Secretary of State.

The Acting Secretary of State to the Peruvian Ambassador

DEPARTMENT OF STATE

WASHINGTON

February 18, 1944

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of January 31, 1944, in which you conveyed the request of your Government for renewal of the Agreement entered into on July 31, 1940 between the

¹ Agreement signed July 31, 1940 (EAS 178, *ante*, p. 1118).

Governments of Peru and the United States of America providing for the assignment of a United States Naval Aviation Mission to Peru.

I note that Your Excellency's Government desires to renew this Agreement for a period of four years, the renewal to commence upon the termination of the present Agreement on July 31, 1944 and I am pleased to inform Your Excellency that this arrangement is agreeable to this Government provided the Agreement is so amended as to include the following language as an additional article to the basic Agreement:

"The members of this Mission are permitted and may be authorized to represent the United States of America on any commission and in any other capacity having to do with military cooperation or hemispheric defense without prejudice to this Agreement."

I shall appreciate it if Your Excellency will inform me whether the suggested amendment is acceptable to the Peruvian Government.

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

EDWARD R. STETTINIUS, Jr.
Acting Secretary of State

His Excellency
Señor DON MANUEL DE FREYRE Y SANTANDER,
Ambassador of Peru.

The Peruvian Chargé d'Affaires ad interim to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON, D.C.

APRIL 6, 1944

YOUR EXCELLENCY:

In reply to Your Excellency's note dated February 18, 1944 referring to the renewal of the Agreement signed by the Governments of Peru and the United States of America on July 31, 1940 providing for the assignment of a United States Naval Aviation Mission to Peru, I am pleased to inform Your Excellency that the Peruvian Government has taken note that this renewal is agreeable to the United States Government and that it agrees to include the additional article suggested in Your Excellency's note with the following amendment: "during the present war emergency". In consequence the said article would read as thus:

"The members of this Mission are permitted and may be authorized to represent the United States of America on any commission and in any other capacity having to do with military cooperation or hemispheric defense without prejudice to this Agreement, during the present war emergency".

The Peruvian Government also suggests that the period of the said Mission would be for two years instead of four years from the date of the signing of the Agreement and that the following wording would be added to Article II[2] of the Agreement: "Any member of the Mission may be recalled by the Government of the United States after the expiration of two years of service during peace time and at any moment during war time. In which case another member shall be furnished to replace him". According to a recent act approved by the Congress of Peru the Ministry of Aeronautics has been established and it will be appreciated if the title of Ministry of Marine and Aviation be changed to Ministry of Aeronautics in every instance that it appears in the Agreement.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

EDUARDO GARLAND

His Excellency,
CORDELL HULL,
Secretary of State.

The Secretary of State to the Peruvian Chargé d'Affaires ad interim

DEPARTMENT OF STATE

WASHINGTON

April 29, 1944

SIR:

Reference is made to your note of April 6, 1944 concerning the renewal of the Agreement entered into on July 31, 1940 between the Governments of the United States of America and the Republic of Peru, providing for the assignment of a United States Naval Aviation Mission to Peru.

I note that the proposed additional article to the basic Agreement, as set forth in my note of February 18, 1944, is acceptable to your Government provided it is amended by adding the following words "during the present war emergency". It is also noted that the Government of Peru desires that the Agreement be extended only for a period of two years and that the following language be added to Title I Article 2 of the basic Agreement:

"Any member of the Mission may be recalled by the Government of the United States after the expiration of two years of service during peace time and at any moment during war time, in which case another member shall be furnished to replace him."

It is inferred, and is the understanding of this Government, that the Peruvian Government's request contemplates also that in the same way the title

“Minister of Marine and Aviation” shall be changed to “Minister of Aeronautics”.

I am pleased to inform you that the proposed changes are acceptable to this Government with the exception of the proposed addition to Title I Article 2, which the Navy Department is of the opinion is already covered by Title IV Article 17 of the basic Agreement.

In the event that the above proposal is 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 in accordance with Title I Article 3.

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

For the Secretary of State:

A. A. BERLE, Jr.

Señor Dr. EDUARDO GARLAND,
Chargé d'Affaires ad interim of Peru.

The Peruvian Chargé d'Affaires ad interim to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON, D.C.

MAY 2, 1944

YOUR EXCELLENCY:

With reference to Your Excellency's note dated April 29, 1944, I have the honour to inform Your Excellency that as Your Excellency suggests in the said note, considering that the proposed addition to Title I Article 2 of the Agreement providing for the assignment of the United States Naval Aviation Mission to Peru is already covered by Title IV Article 17 of the same, the Peruvian Government accepts Your Excellency's suggestion and as Your Excellency has given his acceptance to the other proposed changes submitted by this Embassy, this note will be considered as completing the Agreement for the renewal of the Agreement of 1940 in accordance with Title I Article 3.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

EDUARDO GARLAND

His Excellency,
CORDELL HULL,
Secretary of State.