

LEND-LEASE¹

*Agreement signed at Washington March 17, 1942
Entered into force March 17, 1942*

1942 For. Rel. (VI) 189

WHEREAS the undersigned Sumner Welles, Acting Secretary of State of the United States of America, has been duly authorized by His Excellency Franklin Delano Roosevelt, President of the United States of America, on behalf of the United States of America pursuant to the Act of the Congress of the United States of America of March 11, 1941,² and Gabriel Turbay, Ambassador Extraordinary and Plenipotentiary of the Republic of Colombia to the United States of America, has been duly authorized by His Excellency Eduardo Santos, President of the Republic of Colombia, on behalf of the Republic of Colombia pursuant to Laws 20 and 128 of 1941, to conclude an agreement for the supplying of defense articles and defense information; and

WHEREAS, in conformity with the Declaration of Lima of December 24, 1938³ and Declaration XV approved July 30, 1940⁴ at the Second Meeting of Foreign Ministers of the American Republics held in Habana, the United States of America and the Republic of Colombia have expressed their desire to cooperate in the defense and maintenance of the peace, the security and integrity of the American Continent against any act of aggression which is planned or directed against any of the American Republics and having decided that the defense of each of the American Republics is essential to the defense of all of them;

They have for that purpose agreed upon the following:

ARTICLE I

The United States of America, at the request of the Government of the Republic of Colombia, will supply to the Republic of Colombia, in accordance with the terms of this Agreement, defense articles to a value of about \$16,200,000.

¹ An arrangement for full settlement within basic terms of lend-lease agreement was effected by agreement of Apr. 13, 1950; final payment was made and reported in 33d Report to Congress on Lend-Lease Operations, p. 3.

² 55 Stat. 31.

³ *Ante*, vol. 3, p. 534.

⁴ For text, see *Department of State Bulletin*, Aug. 24, 1940, p. 136.

ARTICLE II

The Government of the United States of America agrees to accord to the Government of the Republic of Colombia a reduction of 55.56 percent in the scheduled cost of the materials delivered in compliance with the stipulations of the present Agreement; and the Government of the Republic of Colombia promises to pay in dollars into the Treasury of the United States of America 44.44 percent of the scheduled cost of the materials received by the Republic of Colombia. The Republic of Colombia shall not be required to pay more than a total of \$1,200,000 before June 30, 1943, more than a total of \$2,400,000 before June 30, 1944, more than a total of \$3,600,000 before June 30, 1945, more than a total of \$4,800,000 before June 30, 1946, more than a total of \$6,000,000 before June 30, 1947, or more than a total of \$7,200,000 before June 30, 1948.

The obligations of the Government of the Republic of Colombia resulting from the present Agreement shall not bear interest.

ARTICLE III

The Government of the United States of America and the Government of the Republic of Colombia shall keep a record of all the defense articles transferred under the terms of this Agreement and not less than every ninety days lists of such defense articles shall be exchanged and reviewed.

ARTICLE IV

In conformity with the Act of the Congress of the United States of America of March 11, 1941, the United States of America reserves the right at any time to suspend, defer, or stop deliveries whenever, in the opinion of the President of the United States of America, further deliveries are not consistent with the needs of the defense of the United States of America or the Western Hemisphere; and the Republic of Colombia similarly reserves the right to suspend, defer, or stop acceptance of deliveries under the present Agreement, when, in the opinion of the President of the Republic of Colombia, the defense needs of the Republic of Colombia or the Western Hemisphere are not served by continuance of the deliveries.

ARTICLE V

Should circumstances arise in which the United States of America in its own defense or in the defense of the Americas shall require defense articles or defense information which the Government of the Republic of Colombia is in a position to supply, the Government of the Republic of Colombia will make such defense articles and defense information available to the United States of America, to the extent possible without harm to its economy and under terms to be agreed upon.

ARTICLE VI

The Republic of Colombia undertakes that it will not, without consent of the President of the United States of America, transfer title to or possession of any defense article or defense information received under this Agreement, or permit its use by anyone not an officer, employee, or agent of the Republic of Colombia.

Similarly, the United States of America undertakes that it will not, without the consent of the President of the Republic of Colombia, transfer title to or possession of any defense article or defense information received in accordance with Article V of this Agreement, or permit its use by anyone not an officer, employee, or agent of the United States of America.

ARTICLE VII

If, as a result of the transfer to the Republic of Colombia of any defense article or defense information, it is necessary for the Republic of Colombia to take any action or make any payment in order fully to protect any of the rights of any citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of the Republic of Colombia will do so, when so requested by the President of the United States of America.

Similarly, if, as a result of the transfer to the United States of America of any defense article or defense information, it is necessary for the United States of America to take any action or make any payment in order fully to protect any of the rights of any citizen of the Republic of Colombia who has patent rights in and to any such defense article or information, the United States of America will do so, when so requested by the President of the Republic of Colombia.

ARTICLE VIII

The Government of the United States of America and the Government of the Republic of Colombia agree, in conformity with the principles set forth in Resolution XXV⁵ on Economic and Financial Cooperation approved at the Second Meeting of the Ministers of Foreign Affairs of the American Republics held at Habana July 1940, to cooperate in the negotiation of fair and equitable agreements designed to alleviate, within the possibility of the available resources of the contracting parties, the sufferings caused by the war wherever and in so far as such relief will be succor to the oppressed and will not aid the aggressor.

⁵ *Ibid.*, Aug. 24, 1940, p. 141.

ARTICLE IX

This Agreement shall continue in force from the date on which it is signed until a date agreed upon between the two Governments.

Wherefore the undersigned plenipotentiaries of the two Governments sign and seal this Agreement in the English and Spanish languages, in duplicate, at Washington this seventeenth day of March, 1942.

For the United States of America:
SUMNER WELLES

For the Republic of Colombia:
GABRIEL TURBAY