

No. 7727

**UNITED STATES OF AMERICA
and
CHILE**

Exchange of notes constituting an agreement uniting and replacing the Air Force and Naval Missions Agreements of 15 February 1951, as extended and amended, and the Army Mission Agreement of 15 November 1956. Santiago, 27 October 1964

Official texts: English and Spanish.

Registered by the United States of America on 27 April 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHILI**

Échange de notes constituant un accord unique remplaçant les Accords du 15 février 1951 relatifs à l'envoi d'une mission d'aviation militaire et d'une mission navale, précédemment prorogés et modifiés, et l'Accord du 15 novembre 1956 relatif à l'envoi d'une mission militaire. Santiago, 27 octobre 1964

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 27 avril 1965.

No. 7727. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CHILE UNITING AND REPLACING THE AIR FORCE AND NAVAL MISSIONS AGREEMENTS OF 15 FEBRUARY 1951, AS EXTENDED AND AMENDED,² AND THE ARMY MISSION AGREEMENT OF 15 NOVEMBER 1956.³ SANTIAGO, 27 OCTOBER 1964

I

The Chilean Minister of Foreign Relations to the American Chargé d'Affaires ad interim

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES

DPE-daa
Nº 15689

Santiago, 27 oct. 1964

Señor Encargado de Negocios :

Tengo el agrado de referirme a las conversaciones que se han venido sosteniendo entre nuestros dos Gobiernos, relativas a la situación de las Misiones Militar, Naval y Aérea de los Estados Unidos de América en Chile.

Al respecto, me complazco en confirmar el siguiente acuerdo a que se llegó como resultado de tales conversaciones :

El Gobierno de la República de Chile y el Gobierno de los Estados Unidos de América han convenido en mantener Misiones de Ejército, Armada y Fuerza Aérea de los Estados Unidos de América en la República de Chile, en cumplimiento del Convenio de Ayuda Militar suscrito en Santiago el 9 de abril de 1952, con la aprobación legislativa de fecha 6 de julio de 1952, promulgado por Decreto Supremo Nº 328 del Gobierno de Chile de esa misma fecha, publicado en el *Diario Oficial* de 21 de julio de ese año, y en conformidad con lo previsto en sus artículos I, IV y V.

Las condiciones del presente acuerdo son las siguientes :

TÍTULO I

PROPÓSITO Y DURACIÓN

Artículo I

El propósito de las Misiones del Ejército, Armada y de la Fuerza Aérea de los Estados Unidos de América (en adelante denominadas « Misiones de los Servicios ») en la Re-

¹ Came into force on 27 October 1964 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 133, pp. 95 and 117; Vol. 206, pp. 338 and 345; Vol. 215, p. 417; Vol. 227, p. 325, and Vol. 266, p. 413.

³ United Nations, *Treaty Series*, Vol. 282, p. 3.

Aprovecho esta oportunidad para reiterar a Vuestra Señoría las seguridades de mi distinguida consideración.

J. P. I.

Honorable Señor Joseph J. Jova
Encargado de Negocios de los Estados Unidos de América
Santiago

[TRANSLATION¹ — TRADUCTION²]

REPUBLIC OF CHILE
MINISTRY OF FOREIGN RELATIONS

DPE-daa
No. 15689

Santiago, October 27, 1964

Mr. Chargé d'Affaires :

I have the pleasure of referring to the conversations that have been in progress between our two Governments with reference to the situation of the Army, Naval, and Air Force Missions of the United States of America in Chile.

In this respect I take pleasure in confirming the following agreement which was reached as a result of those conversations :

[See note II]

If the foregoing terms are acceptable to the Government of the United States of America, this note and your reply concurring therein shall constitute an agreement between our two Governments on the matter, which shall become effective on the date of your affirmative note.

I avail myself of this opportunity to renew to you the assurances of my distinguished consideration.

J. P. I.

The Honorable Joseph J. Jova
Chargé d'Affaires of the United States of America
Santiago

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

II

The American Chargé d'Affaires ad interim to the Chilean Minister of Foreign Relations

No. 283

Santiago, October 27, 1964

Excellency :

I have the honor to refer to Your Excellency's Note No. 15689 of October 27, 1964, containing the proposed agreement with regard to the Air Force, Army and Naval Missions of the United States of America in Chile, whose text reads as follows :

The Government of the Republic of Chile and the Government of the United States of America have agreed to maintain Army, Navy and Air Force Missions of the United States of America in the Republic of Chile, in compliance with the Military Assistance Agreement signed at Santiago on April 9, 1952,¹ and with legislative approval on July 6, 1952, promulgated by Decree No. 328 of the Government of Chile of that same date and published in the *Diario Oficial* of July 21 of that year and in accordance with the provisions of articles I, IV, and V.

The terms of the agreement shall be the following :

TITLE I

PURPOSE AND DURATION

Article 1

The purpose of the United States Army, Navy and Air Force Missions (hereinafter referred to as "Service Missions") in the Republic of Chile shall be to cooperate with the respective Chilean Services and serve as advisory bodies of their Commanders-in-Chief with the objectives of increasing the technical and tactical efficiency of those Services, assuring in that way their greater cooperation in the defense of the Hemisphere.

Article 2

The present agreement shall be of indefinite duration and may be terminated as provided in Article 3.

Article 3

(a) This Agreement may be terminated as follows :

- (1) By either contracting Government, subject to three months advance written notice of the other Government; or
- (2) Recall of the entire personnel of the three Service Missions by the Government of the United States of America or at the request of the Government of Chile, in the public interest of either signatory Government, or

¹ United Nations, *Treaty Series*, Vol. 186, p. 53, and Vol. 266, p. 421.

(3) On the initiative of either Government in case either country becomes involved in armed internal conflict or foreign hostilities.

The cases cited in numbers (2) and (3) do not require a three month written notice.

(b) The termination of the services of one or two of the Service Missions at the request of either contracting Government in its public interest, not otherwise fulfilling the requirements of paragraph (a) of this Article, will not be regarded as terminating this Agreement.

(c) The present agreement unites and replaces the agreements on Army, Navy and Air Force Missions¹ celebrated between the Government of the Republic of Chile and the Government of the United States of America, agreements which cease to have any force or effect.

TITLE II

COMPOSITION AND PERSONNEL

Article 4

(a) Each Mission shall consist of a Chief of Service Mission, having at least the rank of Colonel for Army and Air Force Missions and Captain for the Navy Mission, and such other personnel as may be mutually agreed upon by the Ministry of National Defense of the Republic of Chile (hereinafter called the "Ministry of Defense") and the United States Army, Navy or Air Force Department (hereinafter referred to as "Service Department").

(b) The three Service Missions jointly shall be considered as the Military Group of the United States of America in Chile. The Chief of the Military Group shall be in charge of the coordination of the work of the Missions. His designation shall be made by agreement among the parties.

(c) In addition to the personnel of the Service Missions mentioned in paragraph (a) above, personnel of the United States Armed Forces may be assigned provisionally, at the request of the Government of the Republic of Chile, for periods to be determined by common accord between the Ministry of Defense and the respective United States Service Department. In principle, said provisional personnel will not receive the same treatment as that accorded to the regular members of the Missions, except when both parties may agree to a different arrangement of a specific nature.

Article 5

If required for the purposes of this Agreement the number of personnel (members) of a Mission may be changed as mutually agreed upon between the Ministry of Defense and the respective Service Department.

Article 6

(a) The normal tour of duty of the members of the Missions shall be three years; however, any member may be recalled by the Ministry of Defense or the corresponding Service Department after having served a minimum of 2 years in which case a replacement

¹ See footnotes 2 and 3, p. 348 of this volume.