

No. 4040

**UNITED STATES OF AMERICA
and
NICARAGUA**

**Exchange of notes constituting an agreement relating to a
military assistance advisory group. Managua, 17 Jan-
uary and 9 February 1957**

Official texts: English and Spanish.

Registered by the United States of America on 25 October 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
NICARAGUA**

**Échange de notes constituant un accord relatif à un groupe
consultatif pour l'assistance militaire. Managua, 17 jan-
vier et 9 février 1957**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 25 octobre 1957.

No. 4040. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND NICARAGUA RELATING TO A MILITARY ASSISTANCE ADVISORY GROUP. MANAGUA, 17 JANUARY AND 9 FEBRUARY 1957

I

The American Ambassador to the Nicaraguan Minister of Foreign Affairs

AMERICAN EMBASSY

No. 64

Managua, January 17, 1957

Excellency :

I have the honor to refer to the following agreements between our two Governments : Military Assistance Agreement of April 23, 1954,² Army Mission Agreement of November 19, 1953³ and Air Force Mission Agreement of November 19, 1952.⁴

It is proposed that, notwithstanding the provisions of Article 7 and 8 of the Army and Air Force Mission Agreements, the members of the Missions provided for under these Agreements may also perform the functions specified in Article V of the Military Assistance Agreement of April 23, 1954. The Chief of the Army Mission would be designated as Chief of the Military Assistance Advisory Group provided for under the provisions of Article V, would receive the privileges and have the immunities provided for under Article V in addition to any he may have under the Army Mission Agreement and, in carrying out his duties as Chief of the Military Assistance Advisory Group, would be under the direction and control of the Chief of the Diplomatic Mission of the United States of America. Other members of the Army and Air Force Missions, when performing functions of the Military Assistance Advisory Group, would also act under the direction and control of the Chief of the Diplomatic Mission of the United States of America and would be governed by the terms of the respective Mission Agreement.

If the foregoing proposal is acceptable to Your Excellency's Government, this Note and Your Excellency's Note in reply shall be considered an agreement

¹ Came into force on 9 February 1957 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 229, p. 37.

³ United Nations, *Treaty Series*, Vol. 206, p. 117.

⁴ United Nations, *Treaty Series*, Vol. 186, p. 3, and Vol. 277.

between our two Governments on this matter which shall enter into force on the date of receipt of Your Excellency's reply and shall continue in force concurrently with the Military Assistance Agreement of April 23, 1954.

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

Thomas E. WHELAN

His Excellency Alejandro Montiel Argüello
Minister of Foreign Affairs
Managua, D.N.

II

The Nicaraguan Minister of Foreign Affairs to the American Chargé d'Affaires ad interim

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION¹ — TRADUCTION²]

REPÚBLICA DE NICARAGUA
AMÉRICA CENTRAL

REPUBLIC OF NICARAGUA
CENTRAL AMERICA

MINISTERIO DE RELACIONES EXTERIORES

MINISTRY OF FOREIGN AFFAIRS

Departamento Diplomático

Diplomatic Department

EJA No. 016

EJA No. 016

Managua, D. N., 9 de Febrero de 1957

Managua, D.N., February 9, 1957

Señor Encargado :

Mr. Chargé d'Affaires :

Tengo el honor de comunicar recibo de la atenta nota de esa Embajada No. 64 fechada 17 de Enero del año en curso, en la que se refiere a los siguientes acuerdos vigentes entre nuestros Gobiernos: Acuerdo de Ayuda Militar del 23 de Abril de 1954; Acuerdo de la Misión del Ejército del 19 de Noviembre de 1953 y Acuerdo de la Misión de la Fuerza Aérea del 19 de Noviembre de 1952.

En la que me honro en contestar se propone que, no obstante las disposiciones del artículo 7 y 8 de los Acuerdos del Ejército y de la Misión

I have the honor to acknowledge receipt of your Embassy's courteous note No. 64, dated January 17 of this year, relating to the following agreements in force between our Governments: Military Assistance Agreement of April 23, 1954; Army Mission Agreement of November 19, 1953, and Air Force Mission Agreement of November 19, 1952.

In the note to which I have the honor to reply it is proposed that, notwithstanding the provisions of Article 7 and 8 of the Army and Air Force

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

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

de la Fuerza Aérea, los miembros de las Misiones provistos de conformidad con estos Acuerdos pueden también desempeñar las funciones especificadas en el Artículo V del Acuerdo de Ayuda Militar del 23 de Abril de 1954. El Jefe de la Misión del Ejército sería designado como Jefe del Grupo Consultivo de Ayuda Militar provisto de acuerdo con las disposiciones del Artículo V, recibiría los privilegios y tendría las inmunidades provistas de acuerdo con el Artículo V Además de cualesquiera que pueda tener de conformidad con el Acuerdo de la Misión del Ejército y, al realizar sus deberes como Jefe del Grupo Consultivo de Ayuda Militar, estaría bajo la dirección y control del Jefe de la Misión Diplomática de los Estados Unidos de América. Otros miembros de las Misiones del Ejército y de la Fuerza Aérea, cuando desempeñen funciones del Grupo Consultivo de Ayuda Militar, actuarán también bajo la dirección y control del Jefe de la Misión Diplomática de los Estados Unidos de América y se regirán de acuerdo con los términos del Acuerdo de la Misión respectiva.

Se manifiesta asimismo, que si dichas propuestas se consideran aceptables por nuestro Gobierno, la nota recibida y la presente de respuesta serán consideradas como un Acuerdo entre nuestros dos Gobiernos sobre este asunto, el cual entrará en vigor concurrentemente con el Acuerdo de Ayuda Militar del 23 de Abril de 1954.

En respuesta pláceme comunicar a Vuestra Señoría que mi Gobierno ha encontrado aceptables dichas propuestas, lo que ruego hacerlo del conocimiento de Su Ilustrado Gobierno.

Mission Agreements, the members of the Missions provided for under these Agreements may also perform the functions specified in Article V of the Military Assistance Agreement of April 23, 1954. The Chief of the Army Mission would be designated as Chief of the Military Assistance Advisory Group provided for under the provisions of Article V, would receive the privileges and have the immunities provided for under Article V in addition to any he may have under the Army Mission Agreement and, in carrying out his duties as Chief of the Military Assistance Advisory Group, would be under the direction and control of the Chief of the Diplomatic Mission of the United States of America. Other members of the Army and Air Force Missions, when performing functions of the Military Assistance Advisory Group, will also act under the direction and control of the Chief of the Diplomatic Mission of the United States of America and will be governed by the terms of the respective Mission Agreement.

It is also stated that, if the foregoing proposals are considered acceptable to our Government, the note received and this note in reply shall be considered an agreement between our two Governments on this matter, which shall enter into force concurrently with the Military Assistance Agreement of April 23, 1954.

In reply I am happy to inform you that my Government has found the said proposals acceptable, and I shall appreciate your communicating this fact to your Government.

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

A. MONTIEL ARGÜELLO

A Su Señoría
Don Edward Glion Curtis Jr.
Encargado de Negocios a.i.
de los Estados Unidos
de América

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

A. MONTIEL ARGÜELLO

Mr. Edward Glion Curtis, Jr.
Chargé d'Affaires ad interim
of the United States
of America