

No. 3628

**UNITED STATES OF AMERICA
and
ECUADOR**

**Exchange of notes constituting an agreement relating to
duty-free entry and exemption from internal taxation
of relief supplies and equipment. Quito, 6 September
1955**

Official texts: English and Spanish.

Registered by the United States of America on 18 December 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
ÉQUATEUR**

**Échange de notes constituant un accord relatif à l'entrée
en franchise des approvisionnements et du matériel
de secours et à leur exonération des impôts intérieurs.
Quito, 6 septembre 1955**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 18 décembre 1956.

No. 3628. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ECUADOR RELATING TO DUTY-FREE ENTRY AND EXEMPTION FROM INTERNAL TAXATION OF RELIEF SUPPLIES AND EQUIPMENT. QUITO, 6 SEPTEMBER 1955

I

The American Ambassador to the Ecuadoran Minister of Foreign Affairs

AMERICAN EMBASSY

No. 44

Quito, September 6, 1955

Excellency :

I have the honor to refer to the conversations between representatives of the Government of the United States of America and the Government of Ecuador in connection with the distribution of supplies by American voluntary relief and rehabilitation agencies in accordance with the authority provided for in Section 409 of the Mutual Security Act of 1954, as amended.

The conversations to which I have referred have disclosed a mutual understanding which is as follows :

1. The Government of Ecuador shall accord duty-free entry into the Republic of Ecuador, as well as exemption from internal taxation, of supplies of goods approved by the Government of the United States, donated to or purchased by United States voluntary, non-profit relief and rehabilitation agencies qualified under United States Government regulations, and consigned to such organizations, including branches of these agencies in Ecuador which have been or hereafter shall be approved by the Government of Ecuador. The Government of Ecuador will approve in each case the introduction of said articles.

2. Such supplies may include goods of types qualified for ocean freight subsidy under applicable United States Government Regulations, such as basic necessities of food, clothing and medicines, and other relief and rehabilitation supplies and equipment in support of projects of health, sanitation, education and recreation, agriculture and promotion of small self-help industries, but shall not include tobacco, cigars, cigarettes, alcoholic beverages, or items for the personal use of agencies' field representatives.

3. Duty-free treatment on importation and exportation, as well as exemption from internal taxation, shall also be accorded to supplies and equipment imported by organiza-

¹ Came into force on 6 September 1955 by the exchange of the said notes.

tions approved by both governments for the purpose of carrying out operations under this agreement. Such supplies and equipment shall not include items for the personal use of agencies' field representatives.

4. The cost of transporting such supplies and equipment (including port, handling, storage, and similar charges, as well as transportation) within the Republic of Ecuador to the ultimate beneficiary will be borne by the Government of Ecuador.

5. The supplies furnished by the voluntary agencies shall be considered supplementary to rations to which individuals would otherwise have been entitled.

6. Individual organizations carrying out operations under this agreement may enter into additional arrangements with the Government of Ecuador, and this agreement shall not be construed to derogate from any benefits secured by any such organizations in existing agreements with the Government of Ecuador.

I have the honor to propose that, if these understandings meet with the approval of the Government of Ecuador, this note and Your Excellency's note in reply constitute an agreement between our two Governments, effective the date of Your Excellency's note, to remain in force until six months after the receipt by either Government of written notice of the intention of the other government to terminate it.

Accept, Excellency, the assurances of my highest and most distinguished consideration.

Sheldon T. MILLS

The Honorable Luis Antonio Peñaherrera
Minister of Foreign Affairs
Quito

II

The Ecuadoran Minister of Foreign Affairs to the American Ambassador

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES

No. 96-DDP

Quito, a 6 de septiembre de 1955

Señor Embajador :

Tengo a honra referirme a la atenta nota de Vuestra Excelencia, número 44, de 6 de septiembre del presente año, que trata sobre las conversaciones mantenidas entre representantes del Gobierno del Ecuador y del de los Estados Unidos de América con respecto a la celebración de un Acuerdo para la distribución, en el Ecuador, de suministros provenientes de organismos norteamericanos de ayuda y rehabilitación voluntaria, de conformidad con lo dispuesto en la Sección 409 de la reformada Ley de Seguridad Mutua de 1.954.

nota de Vuestra Excelencia dada en contestación a ella, constituyan un Acuerdo entre nuestros dos Gobiernos que entre en vigencia en la fecha de la nota de Vuestra Excelencia, y que permanezca en vigencia hasta después de seis meses de recibida por parte de cualquiera de los Gobiernos una notificación escrita, en que se manifieste la intención del otro Gobierno de darlo por terminado. — Acepte, Excelencia, las seguridades de mi muy alta y muy distinguida consideración. — *f*) Sheldon T. Mills. — Al Excelentísimo señor don Luis Antonio Peñaherrera, — Ministro de Relaciones Exteriores, — Quito ».

En vista de la conformidad a la que se ha llegado para aceptar las estipulaciones constantes en la nota preinserta, agradeceré a Vuestra Excelencia se sirva considerar la presente comunicación como una respuesta favorable a la misma, debiendo ser estimada, en consecuencia, como un Acuerdo entre los Gobiernos de nuestros respectivos países.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

Luis Ant. PEÑAHERRERA
Ministro de Relaciones Exteriores

Al Excelentísimo señor don Sheldon T. Mills
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América
Presente

[TRANSLATION¹ — TRADUCTION²]

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN AFFAIRS

No. 96-DDP

Quito, September 6, 1955

Mr. Ambassador :

I have the honor to refer to Your Excellency's courteous note No. 44, dated September 6 of this year, concerning the conversations held between representatives of the Government of Ecuador and that of the United States of America with respect to the conclusion of an agreement for the distribution in Ecuador of supplies coming from American voluntary relief and rehabilitation agencies in accordance with the provisions of Section 409 of the Mutual Security Act of 1954, as amended.

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

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

For the purpose of better understanding, I take the liberty of transcribing Your Excellency's note which, duly translated into Spanish, states as follows :

[*See note I*]

In view of the agreement that has been reached to accept the provisions contained in the note inserted above, I shall be grateful if Your Excellency will be good enough to consider the present communication as a favorable reply thereto, and it shall therefore be considered as an agreement between the Governments of our respective countries.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

Luis Ant. PEÑAHERRERA
Minister of Foreign Affairs

His Excellency Sheldon T. Mills
Ambassador Extraordinary and Plenipotentiary
of the United States of America
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