

**UNITED STATES OF AMERICA
and
COLOMBIA**

Agreement for financing certain educational exchange programs. Signed at Bogotá, on 9 January 1957

Exchange of notes constituting an agreement amending the above-mentioned Agreement. Bogotá, 27 December 1960

Exchange of notes constituting an agreement amending the above-mentioned Agreement of 9 January 1957, as amended. Bogotá, 3 and 11 May 1962

Official texts: English and Spanish.

Registered by the United States of America on 24 April 1963.

**ÉTATS-UNIS D'AMÉRIQUE
et
COLOMBIE**

Accord relatif au financement de certains programmes d'échanges dans le domaine de l'enseignement. Signé à Bogota, le 9 janvier 1957

Échange de notes constituant un avenant à l'Accord sus-mentionné. Bogota, 27 décembre 1960

Échange de notes constituant un avenant à l'Accord sus-mentionné du 9 janvier 1957, déjà modifié. Bogota, 3 et 11 mai 1962

Textes officiels anglais et espagnol.

Enregistrés par les États-Unis d'Amérique le 24 avril 1963.

No. 6676. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF COLOMBIA FOR FINANCING CERTAIN EDUCATIONAL EXCHANGE PROGRAMS. SIGNED AT BOGOTÁ, ON 9 JANUARY 1957

The Government of the United States of America and the Government of Colombia :

Desiring to promote further mutual understanding between the peoples of the United States of America and Colombia by a wider exchange of knowledge and professional talents through educational activities :

Considering that the Secretary of State of the United States of America may enter into an agreement for financing certain educational exchange programs from the currency of Colombia held or available for expenditure by the United States for such purposes :

Have agreed as follows :

Article 1

There shall be established a commission to be known as the Commission for Educational Exchange between the United States of America and Colombia (hereinafter designated "the Commission"), which shall be recognized by the Government of the United States of America and the Government of Colombia as an organization created and established to facilitate the administration of an educational program to be financed by funds made available to the Commission by the Government of the United States of America from funds held or available for expenditure by the United States for such purpose.

Except as provided in Article 3 hereof the Commission shall be except² from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies for the purposes set forth in the present Agreement. The funds and property which may be acquired with the funds in furtherance of the purposes of the Agreement shall be regarded in Colombia as property of a foreign government.

¹ Came into force provisionally on 9 January 1957, upon signature, and definitively on 1 January 1959, the date of approval by the Legislative Branch of the Republic of Colombia, in accordance with the provisions of article 11.

² According to information provided by the United States of America this word should read "exempt".

The funds made available under the present Agreement, within the conditions and limitations hereinafter set forth, shall be used by the Commission or such other instrumentality as may be agreed upon by the Government of the United States of America and the Government of Colombia for the purpose of :

- (1) Financing studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in Colombia, or of the citizens of Colombia in United States schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, including payment of transportation, tuition, maintenance, and other expenses incident to scholastic activities : or
- (2) Furnishing transportation for citizens of Colombia who desire to attend United States schools and institutions of higher learning in the Continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and whose attendance will not deprive citizens of the United States of an opportunity to attend such schools and institutions.

Article 2

In furtherance of the aforementioned purposes, the Commission may, subject to the provisions of the present Agreement, exercise all powers necessary to the carrying out of the purposes of the present Agreement, including the following :

- (1) Plan, adopt and carry out programs in accordance with the purposes of the present Agreement.
- (2) Recommend to the Board of Foreign Scholarships, provided for in Section 1641 (b), Title 50, appendix of the United States Code, students, professors, research scholars, teachers, resident in Colombia, and institutions of Colombia qualified to participate in the program in accordance with the aforesaid Section.
- (3) Recommend to the aforesaid Board of Foreign Scholarships such qualifications for the selection of participants in the program as it may deem necessary for achieving the purpose and objectives of the present Agreement.
- (4) Acquire, hold, and dispose of property in the name of the Commission as the Board of Directors of the Commission may consider necessary or desirable, provided, however, that the acquisition of any real property shall be subject to the prior approval of the Secretary of State of the United States of America.
- (5) Authorize the Treasurer of the Commission or such other person as the Commission may designate to receive funds to be deposited in bank accounts in the name of the Treasurer of the Commission or such other person as may be designated.

The appointment of the Treasurer or such designee shall be approved by the Secretary of State of the United States of America. The Treasurer shall deposit funds received in a depository or depositories designated by the Secretary of State of the United States of America.

- (6) Authorize the disbursement of funds and the making of grants and advances of funds for the authorized purposes of the present Agreement.
- 7) Provide for periodic audits of the accounts of the Treasurer of the Commission as directed by auditors selected by the Secretary of State of the United States of America.
- (8) Incur administrative expenses as may be deemed necessary out of funds made available under the present Agreement.

Article 3

All commitments, obligations, and expenditures authorized by the Commission shall be made in accordance with an annual budget, to be approved by the Secretary of State of the United States of America.

Article 4

The management and direction of the affairs of the Commission shall be vested in a Board of Directors consisting of six members (hereinafter designated "the Board"), three of whom shall be citizens of the United States of America and three of whom shall be citizens of Colombia. In addition, the principal officer in charge of the Diplomatic Mission of the United States of America to Colombia (hereinafter designated "Chief of Mission") shall be Honorary Chairman of the Board. He shall cast the deciding vote in the event of a tie vote by the Board. The Colombian members shall include the Director of Icetex and two others to be selected by agreement between the Government of Colombia and the United States Chief of Mission in Colombia. Of the citizens of the United States of America, two shall be officers of the United States Foreign Service establishment in Colombia; one of them shall serve as Chairman of the Board, and one of them shall serve as Treasurer.

The members shall serve from the time of their appointment until the following December 31 and shall be eligible for reappointment. Vacancies by reason of resignation, transfer of residence outside of Colombia, expiration of service, or otherwise, shall be filled in accordance with the appointment procedure set forth in this article.

The members shall serve without compensation but the Board may authorize the payment of the necessary expenses of the members in attending the meetings of the Board and in performing other official duties assigned by the Board.

Article 5

The Board shall adopt such by-laws and appoint such committees as it shall deem necessary for the conduct of the affairs of the Commission.

Article 6

Reports acceptable in form and content to the Secretary of State of the United States of America shall be made annually on the activities of the Commission to the Secretary of State of the United States of America and the Government of Colombia.

Article 7

The principal office of the Commission shall be in the capital city of Colombia but meetings of the Board and any of its committees may be held in such other places as the Board may from time to time determine, and the activities of any of the Commission's officers or staff may be carried on at such places as may be approved by the Board.

Article 8

The Government of the United States of America and the Government of Colombia agree that currency of Colombia acquired by the Government of the United States pursuant to the Surplus Agricultural Commodities Agreement dated June 23, 1955¹ (hereinafter referred to as the Commodities Agreement), up to an aggregate amount of the peso equivalent of \$300,000 (United States currency) may be used for purposes of this Agreement. When currency of Colombia acquired by the Government of the United States pursuant to the Commodities Agreement is deposited by the Government of the United States for purposes of this Agreement, the rate of exchange to be used in determining the amount of currency of Colombia to be so deposited shall be the rate specified in paragraph 2(b) of Article III of the Commodities Agreement.

In addition to the funds provided in paragraph 1 of this article, the Government of the United States of America and the Government of Colombia agree that currency of Colombia acquired by the Government of the United States pursuant to the Surplus Agricultural Commodities Agreement dated December 20, 1955,² up to an aggregate of 502,000 pesos may be used for purposes of this Agreement.

Article 9

The Government of the United States of America and the Government of Colombia shall make every effort to facilitate the exchange of persons programs authorized

¹ United Nations, *Treaty Series*, Vol. 263, p. 337, and Vol. 283, p. 345.

² United Nations, *Treaty Series*, Vol. 241, p. 25, and Vol. 283, p. 328.