

No. 3740

**UNITED STATES OF AMERICA
and
GUATEMALA**

Bilateral Military Assistance Agreement. Signed at Guatemala City, on 18 June 1955

Official texts: English and Spanish.

Registered by the United States of America on 19 March 1957.

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

Accord bilatéral d'assistance militaire. Signé à Guatemala, le 18 juin 1955

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 19 mars 1957.

No. 3740. BILATERAL MILITARY ASSISTANCE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF GUATEMALA. SIGNED AT GUATEMALA CITY, ON 18 JUNE 1955

The Government of the United States of America and the Government of the Republic of Guatemala :

Conscious of their pledges under the Inter-American Treaty of Reciprocal Assistance² and other international instruments to assist any American State subjected to an armed attack and to act together for the common defense and for the maintenance of the peace and security of the Western Hemisphere;

Desiring to foster international peace and security within the framework of the Charter of the United Nations through measures which will further the ability of nations dedicated to the purposes and principles of the Charter to participate effectively in arrangements for individual and collective self-defense in support of those purposes and principles;

Reaffirming their determination to give their full cooperation to the efforts to provide the United Nations with armed forces as contemplated by the Charter and to obtain agreement on universal regulation and reduction of armaments under adequate guarantee against violation;

Taking into consideration the support that the Government of the United States of America has brought to these principles by enacting legislation which provides for the furnishing of military assistance to nations which have joined with it in collective security arrangements;

Desiring to set forth the conditions which will govern the furnishing of such assistance by one Government to the other;

Have agreed as follows :

Article I

1. Each Government will make or continue to make available to the other, and to such additional governments as the parties hereto may in each case agree upon, such equipment, materials, services, or other military assistance as the Government furnishing such assistance may authorize and in accordance

¹ Came into force on 18 June 1955, the date of signature, in accordance with article X.

² United Nations, *Treaty Series*, Vol. 21, p. 77; Vol. 26, p. 417; Vol. 82, p. 330, and Vol. p. 209, p. 330.

with such terms and conditions as may be agreed. The furnishing and use of any such assistance as may be authorized by either party hereto shall be consistent with the Charter of the United Nations under which each nation is obliged not to undertake any act of aggression against any other nation. Such assistance shall be so designed as to promote the defense of the Western Hemisphere and be in accordance with defense plans under which both Governments will participate in missions important to the defense of the Western Hemisphere. Assistance made available by the Government of the United States of America pursuant to this Agreement will be furnished under the provisions, and subject to all the terms, conditions and termination provisions of applicable United States legislation. The two Governments will, from time to time, negotiate detailed arrangements necessary to carry out the provisions of this paragraph.

2. The Government of the Republic of Guatemala undertakes to make effective use of assistance received from the Government of the United States of America pursuant to this Agreement for the purpose of implementing defense plans, accepted by the two Governments, under which the two Governments will participate in missions important to the defense of the Western Hemisphere, and will not, without the prior agreement of the Government of the United States of America, devote such assistance to purposes other than those for which it was furnished.

3. Arrangements will be entered into under which equipment and materials furnished pursuant to this Agreement and no longer required for the purposes for which it was originally made available (except equipment and materials furnished under terms requiring reimbursement) will be returned to the Government which furnished such assistance for appropriate disposition.

4. In the common security interest each Government undertakes not to transfer to any person not an officer or employee or agent of such Government, or to any other Government, title to or possession of any equipment, materials, or services furnished under this Agreement without the prior agreement of the other Government. The transfer of equipment or materials on a reimbursable basis shall be in accordance with terms and conditions relating to such transfers which may be agreed to by the two Governments.

5. The two Governments will establish procedures whereby the Government of the Republic of Guatemala will so deposit, segregate, or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States of America so that such funds shall not be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organization or government, when in the opinion of the Government of the United States of America any such legal