

No. 362

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of Guatemala and has the honor to refer to earlier discussions between representatives of the two Governments regarding the furnishing of articles and services from the United States of America to the Government of the Republic of Guatemala pursuant to the Global Peacekeeping Operations Initiative. In accordance with these discussions, it is proposed that the Government of the Republic of Guatemala agree, with respect to such articles and services:

A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Guatemala shall not:

- (I) Permit any use of such articles or services by anyone not an officer, employee or agent of the Government of the Republic of Guatemala;
- (II) Transfer or permit any officer, employee or agent of the Government of the Republic of Guatemala to transfer such articles or services by gift, sale or otherwise; or

**DIPLOMATIC NOTE**

(III) Use or permit the use of such articles or services for purposes other than those for which provided;

B. That such articles or services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Guatemala in disposing of, with prior written consent of the Government of the United States of America, any article furnished by the Government of the United States of America on a grant basis, including scrap from any such article, shall be paid to the Government of the United States of America;

D. That the Government of the Republic of Guatemala shall maintain the security of such articles and services; that it shall provide substantially the same degree of security protection afforded to such articles or services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Guatemala; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles, services, and related training furnished under other authority subject to the terms and conditions of the agreement proposed herein.

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Guatemala shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's Note in which the Foreign Ministry of the Republic of Guatemala notifies the Embassy of the United States of America, by diplomatic means, of fulfillment of legal requirements stipulated by internal legislation.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Guatemala the assurances of its highest consideration.

Embassy of the United States of America,  
Guatemala, December 1, 2005.

B.K.

MINISTERIO DE RELACIONES EXTERIORES  
REPUBLICA DE GUATEMALA, C.A.

(Courtesy Translation)

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The Ministry of Foreign Affairs of the Republic of Guatemala presents its compliments to the Embassy of the United States of America to acknowledge receipt of note No. 362 dated on December 1, 2005 which literally states the following:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of Guatemala and has the honor to refer to earlier discussions between representative of the two Governments regarding the furnishing of articles and services from United States of America to the Government of the Republic of Guatemala pursuant to the Global Peacekeeping Operations Initiative. In accordance with these discussions, it is proposed that the Government of the Republic of Guatemala agree, with respect to such articles and services:

- A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Guatemala shall not:
- I. Permit any use of such articles or services by anyone not an officer, employee or agent of the Government of the Republic of Guatemala;
  - II. Transfer or permit any officer, employee or agent of the Government of the Republic of Guatemala to transfer such articles or services by gift, sale or otherwise; or
  - III. Use or permit the use of such articles or services for purposes other than those for which provided;

HONORABLE  
EMBASSY OF THE UNITED STATES OF AMERICA  
GUATEMALA CITY

MINISTERIO DE RELACIONES EXTERIORES  
REPUBLICA DE GUATEMALA, C.A.

- B. That such articles or services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;
- C. That the net proceeds of sale received by the Government of the Republic of Guatemala in disposing of, with prior written consent of the Government of the United States of America, any article furnished by the Government of the United States of America on a grant basis, including scrap from any such article, shall be paid to the Government of the United States of America;
- D. That the Government of the Republic of Guatemala shall maintain the security of such articles and services; that it shall provide substantially the same degree of security protection afforded to such articles or services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof the Government of the Republic of Guatemala; and
- E. That the Government of the United States of America may also, from time to time, make the provision of articles, services, and related training *furnishing under other authority subject to the terms and conditions of the agreement proposed herein.*

The Ministry of Foreign Affairs note stating that the foregoing is acceptable to the Government of the Republic of Guatemala shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's Note in which the Foreign Ministry of the Republic of Guatemala notifies the Embassy of the United States of America, by diplomatic means, of fulfillment of legal requirements stipulated by internal legislation.

**MINISTERIO DE RELACIONES EXTERIORES  
REPUBLICA DE GUATEMALA, C.A.**

The Embassy of the States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Guatemala the assurances of its highest consideration.

Embassy of the United States of America;  
Guatemala, December 1, 2005.

As a response, the Ministry of Foreign Affairs, on behalf of the Government of the Republic of Guatemala, is pleased to convey the Honorable Embassy of the United States of America that all terms of the proposal found on the transcribed note are accepted. Therefore, said note and the present one constitute an Agreement between both of our Governments, that shall enter into force the date when this Ministry notifies the Honorable Embassy, through diplomatic channels, of the completion of all legal procedures required by internal legislation.

The Ministry of Foreign Affairs of the Republic of Guatemala takes this opportunity to renew the Honorable Embassy of the United States of America the assurances of its highest and distinguished consideration.

Guatemala, January 3, 2006

*Jorge A. Quijano*

The seal is circular with a double border. The outer border contains the text "MINISTERIO DE RELACIONES EXTERIORES" at the top and "REP. DE GUATEMALA" at the bottom. The inner circle features the national coat of arms of Guatemala, which includes a shield with a cross, a quetzal, and a guano bird, flanked by two figures holding a banner.