

No. 029

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Oriental Republic of Uruguay and has the honor to refer to recent discussions between representatives both of our governments regarding issues related to United States military and civilian personnel (defined as members of the United States Armed Forces and civilian employees of the United States Department of Defense, hereafter referred to collectively as United States personnel) and United States contractors (defined as non-Uruguayan companies and firms, and their employees who are not nationals of Uruguay, under contract to the United States Department of Defense) who may be temporarily present in Uruguay in support of the visit of President Bush to Uruguay in March 2007.

As a result of these discussions, and noting the longstanding military and technical cooperation between our two governments, including under the Mutual Defense and Assistance Agreement signed at Montevideo on June 30, 1952, the Embassy proposes that United States personnel be accorded the privileges, exemptions, and immunities equivalent to those

accorded to the administrative and technical staff of a diplomatic mission under the Vienna Convention on Diplomatic Relations of April 18, 1961; that United States personnel may enter and exit Uruguay with United States identification and with collective movement or individual travel orders; that Uruguay shall accept as valid all professional licenses issued by the United States, its political subdivisions or States thereof to United States personnel for the provision of services to authorized personnel; and that Uruguay authorities shall accept as valid, without a driving test or fee, driving licenses or permits issued by the appropriate United States authorities to United States personnel for the operation of vehicles. The Embassy further proposes that United States personnel be authorized to wear uniforms while performing official duties and to carry arms while on duty if authorized to do so by their orders.

The Government of Uruguay recognizes the particular importance of disciplinary control by United States Armed Forces authorities over United States military personnel and, therefore, authorizes the Government of the United States to exercise criminal jurisdiction over United States military personnel while in Uruguay.

The Embassy further proposes that the United States Department of Defense and United States personnel shall not be liable to pay any tax or similar charge assessed within Uruguay and that the United States Department of Defense and United States personnel may import into, export out of, and use in Uruguay any personal property, equipment, supplies, materiel, technology, training, or services in connection with activities under this Agreement. Such importation, exportation, and use shall be exempt from any inspection, license, other restrictions, customs duties, taxes, or any other charges assessed within Uruguay. The Governments of the United States of America and Uruguay shall cooperate to take such measures as may be necessary to ensure the security and protection of United States personnel, property, equipment, records, and official information in Uruguay.

The Embassy proposes that vessels and vehicles operated by or, at the time, exclusively for the United States Department of Defense may enter, exit, and move freely within the territory of Uruguay, and that such vehicles (whether self-propelled or towed) shall not be subject to the payment of overland transit tolls. Vessels and aircraft owned or operated by or, at the

time, exclusively for the United States Department of Defense shall not be subject to the payment of landing, parking, and port fees, pilotage charges, lighterage, and harbor dues at facilities owned and operated by the Government of Uruguay. Aircraft owned and operated by or, at the time, exclusively for the United States Department of Defense shall not be subject to payment of navigation, overflight, terminal or similar charges when in the territory of Uruguay. The United States Department of Defense shall pay reasonable charges for services requested and received at rates no less favorable than those paid by the Armed Forces of Uruguay, less any taxes or similar charges. Aircraft and vessels of the United States Government shall be free from boarding and inspection.

The Embassy also proposes that the United States Department of Defense may contract for any materiel, supplies, equipment, and services (including construction) to be furnished or undertaken in Uruguay without restriction as to choice of contractor, supplier, or person who provides such materiel, supplies, equipment or services. Such contracts shall be solicited, awarded and administered in accordance with the laws and regulations of the Government of the United States of America. Acquisition of articles and services in Uruguay by or on behalf of the United States Department of

Defense in connection with activities under this Agreement shall not be subject to any taxes or similar charges in Uruguay.

The Embassy further proposes that United States contractors shall not be liable to pay any tax or similar charge assessed within Uruguay in connection with activities under this Agreement and that such contractors may import into, export out of, and use in Uruguay any personal property, equipment, supplies, materiel, technology, training, or services in fulfillment of contracts with the United States Department of Defense in connection with activities under this Agreement. Such importation, exportation, and use shall be exempt from any license, other restrictions, customs duties, taxes, or any other charges assessed within Uruguay.

The Embassy proposes that United States contractors shall be granted the same treatment as United States personnel with respect to professional and drivers, licenses.

The Embassy proposes that United States personnel shall have freedom of movement and access to and use of mutually agreed transportation, storage, training, and other facilities required in connection with activities under this Agreement.

The Government of Uruguay recognizes that it may be necessary for the United States Armed Forces to use the radio spectrum. The United States Department of Defense shall be allowed to operate its own telecommunication systems (as telecommunication is defined in the 1992 Constitution and Convention of the International Telecommunication Union). This shall include the right to utilize such means and services as required to ensure full ability to operate telecommunication systems, and the right to use all necessary radio spectrum for this purpose. Use of the radio spectrum shall be free of cost to the United States Government.

Further, the Embassy proposes that the Parties waive any and all claims (other than contractual claims) against each other for damage to, loss, or destruction of the other's property or injury or death to personnel of either Party's armed forces or their civilian personnel arising out of the performance of their official duties in connection with activities under this Agreement. Claims by third parties for damages or loss caused by United States personnel shall be resolved by the United States Government in accordance with United States laws and regulations.

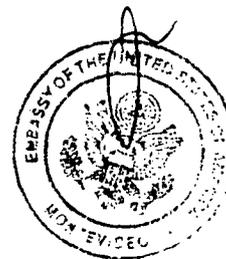
Finally, the Embassy proposes further that our two governments, or their designated representatives may enter into implementing arrangements to carry out the provisions of this Agreement.

If the foregoing is acceptable to the Government of Uruguay, the Embassy proposes that this note, together with the Ministry's reply to that effect, shall constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's reply.

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

Embassy of the United States of America,

Montevideo, February 13, 2007.





Translation

Office of the President of the Oriental Republic of Uruguay

Montevideo, February 23, 2007

His Excellency Frank Baxter
Ambassador of the United States of America
Montevideo

Sir:

I have the honor to inform you that the President of the Republic has accepted the requests set forth by the Embassy in Note No. 029 of February 13, 2007, regarding the upcoming visit of President Bush to Uruguay this March.

Accordingly, this note in reply confirms our acceptance of the proposal set forth in the above-mentioned note.

In closing, I should like to take this opportunity to renew to Your Excellency, the assurances of my highest consideration.

[Signature]

Dr. Gonzalo D. Fernández
Chief of Staff, Office of the Presidency