EMBAJADA DEL URUGUAY
WASHINGTON, D.C.
001/77-CONF

La Embajada del Uruguay presenta sus atentos saludos al Departamento de Estado y tiene el honor de poner en su conocimiento lo siguiente:

1.- El 20 de diciembre de 1976, el Señor Harry W. Shlaudeman, Secretario de Estado Adjunto para Asuntos Interamericanos en entrevista mantenida a la hora 11 a.m. expresó al Embajador del Uruguay - en forma absolutamente informal y personal - su preocupación por la designación por parte del Gobierno del Uruguay de dos oficiales de inteligencia, el Coronel Fons y el Mayor Gavazzo, para prestar funciones en los Estados Unidos y le sugirió en forma personal y amistosa que el Gobierno Uruguayo estudiara la conveniencia de revisar las referidas designaciones. Le manifestó asimismo que luego de los sucesos ocurridos en relación con la muerte del ex-embajador Letelier y teniendo en cuenta la sensibilidad extrema que dicho suceso provocó en distintos medios de los Estados Unidos los referidos nombramientos podrían tener efectos profundamente negativos al punto de poder llegar a deteriorar las excelentes relaciones entre ambos países.

2.- El Gobierno del Uruguay, teniendo en cuenta las excelentes relaciones existentes con el Gobierno de los Estados Unidos y el amistoso planteamiento absolutamente informal y personal del Señor Shlaudeman al Embajador del Uruguay, accedió a considerar el asunto dentro del carácter expresado, es decir absolutamente informal, y no encontrando mérito para la revisión de las referidas designaciones decidió darles curso, solicitando por nota de fecha 5 de enero de 1977 el correspondiente beneplácito del Go-

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// bierno de los Estados Unidos para el Mayor Gavazzo por intermedio de la Embajada de los Estados Unidos en Montevideo.

3.- El 5 de enero de 1977, a la hora 5 p.m. el Señor Ministro de Relaciones Exteriores del Uruguay, Don Alejandro Rovira, recibió en su despacho al Señor Embajador de los Estados Unidos, Don Ernest Siracusa a su pedido, quien en nombre de su Gobierno le expresó que no se veía con buenos ojos la designación de los ya referidos oficiales, que se temía un deterioro de las relaciones existentes entre ambos países dadas las presiones en juego y que esperaba una solución feliz del asunto.

4.- El 6 de enero de 1977, el Embajador del Uruguay fue citado para concurrir al Departamento de Estado haciéndolo a la hora 3 p.m.- En tal oportunidad el Director de Area por Argentina, Uruguay y Paraguay, Señor Robert Zimmerman le comunicó en nombre de su Gobierno que las designaciones del Coronel Fons y del Mayor Gavazzo no eran gratas para los Estados Unidos.

5.- Frente a los hechos relacionados en los numerales uno, tres y cuatro, el Gobierno Uruguayo desea expresar su sorpresa y su disgusto. El Señor Coronel Fons y el Señor Mayor Gavazzo son dos correctos e intachables oficiales del Ejército Uruguayo. De las manifestaciones formuladas por el Señor Shlaudeman, por el Embajador Siracusa y por el Señor Zimmerman en las ya señaladas oportunidades no surge razón alguna objetivamente válida que explique la posición adoptada por el Gobierno de los Estados Unidos en el presente asunto.

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// En efecto, el Gobierno del Uruguay no alcanza a comprender cuál es la relación existente entre " los sucesos ocurridos en relación con la muerte del ex-Embajador Letelier " y la " sensibilidad extrema que dicho suceso provocó en distintos medios de los Estados Unidos " con la designación de los referidos oficiales, circunstancia que tuvo la oportunidad de poner en conocimiento al Gobierno de los Estados Unidos a través de las expresiones del Señor Ministro de Relaciones Exteriores Don Alejandro Rovira al Embajador Siracusa y del Embajador del Uruguay a los Señores Shlaudeman y Zimmerman.

Debe concluir, pues, y sí se considera, que en el caso del Mayor Gavazzo, designado Agregado Militar Adjunto a la Embajada del Uruguay en los Estados Unidos, el Gobierno de los Estados Unidos ha hecho ejercicio simple de las facultades que como Estado receptor le confiere el artículo siete de la Convención de Viena sobre relaciones diplomáticas de fecha 18 de abril de 1961.-

6.- En lo que tiene que ver con la situación del Coronel Fons, designado por el Gobierno del Uruguay como Vice-Director del Estado Mayor de la Junta Interamericana de Defensa, Organismo Militar Interamericano, se estima que la posición asumida por el Gobierno de los Estados Unidos en la contingencia no tiene base jurídica y no es de recibo por cuanto implica el ejercicio inaceptable de una facultad de veto por parte de un país sede de un Organismo Internacional frente a los Estados Miembros a propósito de la designación de sus respectivos representantes. Tal pretensión del Gobierno de los Estados Unidos en el estado actual del desarrollo de las relaciones internacionales

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EMBAJADA DEL URUGUAY
WASHINGTON, D.C.

// constituye un elemento insólito y de inusitada gravedad que a juicio del Gobierno Uruguayo debe desecharse " in limine " conforme a los principios y normas vigentes del Derecho Internacional, y configura un caso claro de intervención en los asuntos internos del Estado Uruguayo.

7.- No obstante lo expresado, de lo cual se quiere dejar la más formal constancia como importante cuestión de principio y teniendo presente el interés en mantener y acrecentar las excelentes relaciones que hay entre el Uruguay y los Estados Unidos, el Gobierno del Uruguay no insistirá con las designaciones cuestionadas sin que ello pueda interpretarse en ningún momento como una aceptación de la pretensión comentada en el numeral seis precedente o en desmedro del honor, integridad y prestigio de los señores oficiales involucrados.

La Embajada del Uruguay aprovecha esta oportunidad para reiterar al Departamento de Estado las seguridades de su más alta consideración.-

EMBAJADA DEL URUGUAY
WASHINGTON, D. C.

Washington D.C. Enero 21, 1977

Departamento de Estado
Washington, D.C.

UNOFFICIAL TRANSLATION

EMBAJADA DEL URUGUAY
WASHINGTON, D.C.

001/77 CONF.

The Embassy of Uruguay presents its compliments to the Department of State and has the honour to refer to the following:

1. On December 20, 1976, Mr. Harry W. Shlaudeman, Assistant Secretary of State for Inter-American Affairs, during a meeting held at 11 a.m., told The Ambassador of Uruguay to the United States --on a completely informal and personal basis-- of his concern about the appointment made by the Government of Uruguay of two intelligence officers, Colonel Fons and Major Gavazzo, who would be performing their duties in the United States.

Mr. Shlaudeman suggested, in a personal and friendly way, that the Government of Uruguay study the convenience of reviewing the appointments. He added that, after the events connected with the death of the former Chilean Ambassador to the United States, Orlando Letelier, and considering the extremely sensitive reaction to it in different sectors in the United States, those appointments might have serious negative effects, to the point where they could damage the excellent relations existing between the two countries.

2. The Government of Uruguay, bearing in mind those excellent relations and the friendly and informal approach of the State Department toward the issue, agreed to reviewing it. However, since it found no grounds for withdrawing the appointments, proceeded with them and on January 5, 1977

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requested clearance from the United States Government through its Embassy in Montevideo.

3. On January 5, 1977, at 5 p.m., The United States Ambassador to Uruguay met at his request with the Uruguayan Minister of Foreign Affairs, Mr. Alejandro Rovira. On behalf of his Government, Ambassador Siracusa expressed that the appointments of Col. Fons and Major Gavazzo were not well regarded, since the good relations existing between the two countries might be damaged due to the pressures involved, and that he hoped a solution would be found.

4. On January 6, 1977, The Ambassador of Uruguay was asked to meet at the State Department, at 3 p.m., with the Director for Argentina, Paraguay and Uruguay, Mr. Robert Zimmermann, who told the Ambassador that the appointments of Col. Fons and Major Gavazzo were not pleasing to the United States Government.

5. In view of the considerations of Paragraphs 1, 3 and 4 above, the Government of Uruguay wishes to express its surprise and displeasure. Col. Fons and Major Gavazzo are two correct and irreproachable officers of the Uruguayan Army. Neither Mr. Shlaudeman or Ambassador Siracusa or Mr. Zimmermann gave valid reasons to explain the decision made by the United States Government on this matter during the above mentioned meetings. As a matter of fact, the Government of Uruguay finds it difficult to understand the relationship between "the events connected with the death of former Ambassador Letelier" and the "extremely sensitive reaction to it in different sectors in the United States", and the appointment of the said officers. This was expressed to the Government of the United States by the Minister of Foreign Affairs to Ambassador Siracusa and by The Ambassador to the United States to Messrs. Shlaudeman and Zimmermann.

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The Government of Uruguay then concludes and considers that in the case of Major Gavazzo, who had been appointed Assistant Military Attache to the Uruguayan Embassy in the United States, the Government of the United States has simply exercised its option as receiving State, as provided by Art.7 of the Vienna Convention on Diplomatic Relations, of April 18, 1961.

6. As to the appointment of Col. Fons as Vice-Director of the Chiefs of Staff to the Inter-American Defense Board --an Inter-American military organization--, the position taken by the United States Government has no legal grounds, since the United States is not the receiving State and is exercising an option which has not been granted to it as a host country of an international organization to veto for its member states on the occasion of the appointment of a representative from one of them. An attitude like this on the part of the United States at the present state of development of international relations, is unusual and extremely serious and it should be rejected "in limine", according to principles and regulations of international law in force, and also because it is a clear intervention in the domestic affairs of the Uruguayan state.

7. Notwithstanding all of the above, which is hereby recorded as an important question of principle and bearing in mind the interest in maintaining and further strengthening the excellent relations existing between Uruguay and the United States, the Government of Uruguay shall not insist on proceeding with the appointments in dispute. However, this decision shall not mean at any time an acceptance of the attitude analyzed in Paragraph 6 above, or be held against the honor, integrity and reputation of the officers involved.

The Embassy of Uruguay avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

EMBAJADA DEL URUGUAY • D.C. • WASHINGTON

Washington, D.C., January 21, 1977

Department of State
Washington, D.C.

Charles W. Bray, III
Dep. Assist Secy.
of State for Inter-American Affairs
Room 6263
6th Floor

BORRADOR
Enero 21, 1977

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