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## The Panama Canal Treaties of 1977: Letter Dated August 22, 1978 from the Office of the Legal Advisor, Department of State, to Mr. Freeman

Terrence Fortune

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**The Panama Canal Treaties of 1977: Letter Dated  
August 22, 1978 from the Office of  
the Legal Adviser, Department of State,  
to Mr. Freeman**

August 22, 1978

Mr. Alwyn V. Freeman  
10401 Wilshire Boulevard  
Los Angeles, California 90024

Dear Mr. Freeman:

Mr. Schwebel has asked me to respond to your letter of July 2. Pursuant to your request, I have enclosed copies of the Panamanian Instruments of Ratification of the Panama Canal and Neutrality Treaties, and of the Protocol of Exchange which evidences the mutual delivery of instruments by the United States and Panama.

As your letter notes, the Protocol and the Instruments contain certain unilateral declarations by Panama. In my view, these declarations are in the nature of interpretive statements made by Panama in connection with the delivery of instruments. Unlike the amendments, conditions, reservations, and understandings appended to both by the Senate, these declarations are not expressly communicated to the United States by the Protocol, nor are they expressly accepted by the United States.

These declarations do not appear, in substance, to be inconsistent with the Treaty or the amendments, conditions, reservations and understandings added by the Senate. Rather, they seem to represent an elaboration of the principle contained in the first reservation to the Panama Canal Treaty.

I hope this material proves helpful. I would be glad to respond to any further inquiries you may wish to raise.

Sincerely  
TERRENCE FORTUNE  
Office of the Legal Adviser

