

No. 5793

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
BRAZIL**

**Military Service Agreement (with exchange of notes).  
Signed at Rio de Janeiro, on 5 April 1955**

*Official texts : English and Portuguese.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
16 August 1961.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
BRÉSIL**

**Accord relatif au service militaire (avec échange de notes).  
Signé à Rio de Janeiro, le 5 avril 1955**

*Textes officiels anglais et portugais.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
16 août 1961.*

No. 5793. MILITARY SERVICE AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF BRAZIL. SIGNED AT RIO DE JANEIRO, ON 5 APRIL 1955

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The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of the United States of Brazil,

Desiring, in a spirit of friendship, that persons who are, or may become, liable under the laws of the United Kingdom and Brazil, to perform compulsory military service in the armed forces of both countries, should be entitled to special consideration,

Have agreed as follows :

*Article 1*

This agreement shall apply to persons who are or may become liable to perform compulsory military service both under the law in force with regard to such service in the United Kingdom and under that in force with regard to such service in Brazil.

*Article 2*

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by the law in force in Brazil if they have fulfilled their obligations or performed equivalent service in the armed forces of the United Kingdom and furnish as proof of this a duly authenticated certificate obtained on application from the competent authorities of the United Kingdom.

*Article 3*

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by the law in force in the United Kingdom if they have fulfilled their obligations in the armed forces of Brazil and furnish as proof of this a duly authenticated certificate obtained on application from the competent authorities of Brazil.

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<sup>1</sup> Came into force administratively on 5 April 1955, upon signature and definitively on 22 November 1960, in accordance with the provisions of the notes (see p. 146 of this volume) and of article 11 of the Agreement.

*Article 4*

Persons to whom this Agreement applies, who are rejected for military service for reasons of physical unfitness or excepted from service in the armed forces in accordance with the laws governing compulsory military service in the country concerned shall, for the purposes of the present Agreement, be deemed to have fulfilled their military obligations if they furnish as proof of rejection or exception a duly authenticated certificate furnished by the competent authorities of the country concerned.

*Article 5*

Persons to whom this Agreement applies who have been granted a deferment or postponement of call-up by the competent authorities of one of the two countries shall not be called up for service in the armed forces of the other country until the period of deferment or postponement has expired. A duly authenticated certificate issued by the competent authorities of the country which has granted deferment or postponement shall be accepted as proof of such deferment or postponement.

*Article 6*

Persons to whom this Agreement applies who, during their term of military service in the armed forces of one of the two countries, obtain official leave to proceed to the other country shall not be called up for service in the armed forces of that country if they produce a duly authenticated certificate issued at their request by the competent authorities of the country granting the said leave.

This certificate shall show the surname, Christian names, rank, regiment or service and identifying number of the person concerned, together with the date of commencement and expiration of leave. The person concerned may be required to produce this certificate at any time during his stay.

*Article 7*

Nothing in the present Agreement shall in the event of an emergency prevent the competent authorities of either of the Contracting Parties from calling up for service persons to whom this Agreement applies or from placing their names on the reserve list. Persons called up by either of the Contracting Parties in accordance with this article shall, on or before the completion of their emergency service, be furnished with a certificate giving full particulars of the date and nature of the call-up.

*Article 8*

Any dispute concerning the application and interpretation of this Agreement shall be settled through the diplomatic channel or in default of such settlement by such other means as the Contracting Parties may agree.

*Article 9*

The present Agreement shall apply to all military service begun after its entry into force.

*Article 10*

The provisions of this Agreement may be extended by an Exchange of Notes between the Government of the United Kingdom and the Government of Brazil to persons who are or may become liable to perform compulsory military service both under the law with regard to such service in any of the Channel Islands or the Isle of Man and under that in force with regard to such service in Brazil.

*Article 11*

The present Agreement shall come into force on the date on which the Government of the United Kingdom shall acknowledge the receipt of a communication from the Government of Brazil stating that ratification in accordance with Brazilian constitutional requirements has been effected.

This Agreement shall remain in force until the expiration of six months from the date on which either of the Contracting Parties shall have given notice of termination to the other.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in duplicate at Rio de Janeiro this fifth day of April 1955, in the English and Portuguese languages, both texts being equally authoritative.

[L.S.] G. H. THOMPSON

[L.S.] Raul FERNANDES

## EXCHANGE OF NOTES

## I

*Her Majesty's Ambassador at Rio de Janeiro to the Brazilian Minister for Foreign Affairs*

BRITISH EMBASSY

Rio de Janeiro, April 5, 1955

Your Excellency,

I have the honour to refer to the Military Service Agreement signed to-day,<sup>1</sup> between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of the United States of Brazil.

In view of the fact that the Agreement referred to will only enter into force after its approval by the two Houses of the Brazilian Congress, and that the previous Agreement on the same subject expired on September 8, 1952, I propose to your Excellency that both Governments act administratively in accordance with the terms of the Agreement signed to-day in all cases covered by the said Agreement which may arise or have arisen between September 8, 1952, and the date on which the new Agreement comes into force, although fully aware that, during the interim period, no juridical obligation exists for the two Governments.

I avail, &c.

G. H. THOMPSON

## II

*The Brazilian Minister for Foreign Affairs to Her Majesty's Ambassador at Rio de Janeiro*

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

MINISTERIO DAS RELAÇÕES EXTERIORES

Em 5 de abril de 1955

Senhor Embaixador,

Tenho a honra de acusar recebimento da nota de vossa Excelência, datada de hoje, referente ao Acôrdo sôbre Serviço Militar, cujo texto é o seguinte :

<sup>1</sup> See p. 140 of this volume.