

**No. 11886**

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**BRAZIL  
and  
BOLIVIA**

**Preliminary Protocol concerning permanent navigation on the  
Bolivian and Brazilian rivers of the Amazon river system.  
Signed at La Paz on 29 March 1958**

*Authentic texts: Portuguese and Spanish.*

*Registered by Brazil on 27 July 1972.*

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**BRÉSIL  
et  
BOLIVIE**

**Protocole préliminaire relatif au régime permanent de la navigation  
sur les fleuves brésiliens et boliviens appartenant au système  
hydrographique amazonien. Signé à La Paz le 29 mars 1958**

*Textes authentiques: portugais et espagnol.*

*Enregistré par le Brésil le 27 juillet 1972.*

[TRANSLATION — TRADUCTION]

PRELIMINARY PROTOCOL<sup>1</sup> CONCERNING PERMANENT  
NAVIGATION ON THE BOLIVIAN AND BRAZILIAN  
RIVERS OF THE AMAZON RIVER SYSTEM

Mr. José Carlos de Macedo Soares, Minister for Foreign Affairs of Brazil, and Mr. Manuel Barrau Peláez, Minister for Foreign Affairs of Bolivia, meeting in the city of La Paz, this twenty-ninth day of March nineteen hundred and fifty-eight, at the Ministry of Foreign Affairs and Public Worship, and being duly authorized by their respective Governments,

Considering the need to seek economic and commercial complementarity between Brazil and Bolivia by improving and developing the waterways of the Amazon Basin, which are of mutual interest to the two countries, so that, by reducing shipping costs, Bolivia's trade with Brazil and with overseas countries may become more active and prosperous,

Considering that such objectives are in keeping with the conclusions of chapter IV, paragraph 6, of the Act of Roboré and with resolution No. 23 of the Economic Conference of the Organization of American States held at Buenos Aires in August 1957,

Considering that studies and surveys will have to be carried out before the aims of specific technical and economic projects for river navigation can be achieved,

Considering that, after the basic studies have been carried out, it will be necessary to make plans to resolve the existing natural problems identified by those studies through the establishment of technical bodies specializing in that subject in order to devise the most appropriate solutions,

Have by this protocol, agreed as follows :

*Article I*

Within 90 days from today's date, there shall be established a Special Joint Commission which shall be responsible for working out solutions to ensure the permanent navigability of the Brazilian and Bolivian rivers of the Amazon river system in the area between latitude 11° S., longitude 66° W., and the natural frontiers common to Brazil and Bolivia formed by the Abunã and Mamoré-Madeira rivers, and, in the territory of Brazil, from the point where

<sup>1</sup> Came into force on 19 August 1969, by the exchange of the instruments of ratification, which took place at Rio de Janeiro.

the Abunã river joins the Madeira river to the city of Pôrto Velho; the Commission shall also study the navigation of the Acre river.

### *Article II*

The Commission shall be composed of two permanent and resident members from each country, appointed by the respective Governments, and shall have its headquarters either in Puerto Sucre (Guayaramerín) or Pôrto Velho, according to the progress of the studies.

In the first stage of its work, and within 120 days, the Commission shall submit to the two Governments for their consideration a report which shall include the following :

- (a) The rules of procedure governing its activities;
- (b) The general plan of preliminary work;
- (c) The senior technical personnel required to carry out the general plan of preliminary work.

### *Article III*

Once the report referred to in article II has been approved by the two Governments, the Commission shall embark upon a second stage of work, for which it shall be provided with the necessary technical personnel.

Within six months, the Commission shall submit to the two Governments a detailed report which shall include the following :

- (a) The plan of work required to analyse all the documentation needed for the study of the final solutions;
- (b) The budget required for the execution of the work referred to in paragraph (a);
- (c) The date by which the studies referred to in paragraph (a) will be completed.

### *Article IV*

The report resulting from the second stage of work of the Commission referred to in article III shall be submitted to the two Governments for approval; once it is approved, the Commission shall proceed to carry out the proposed studies.

Within the prescribed period, the conclusions, plans, observations and other documentation, as well as the suggestions necessary for a sound technical and economic appraisal of solutions to the problem of the permanent navigation of the rivers studied which will ensure communication links with the Amazon river shall be submitted to the two Governments for consideration.

*Article V*

Having determined that the solution suggested by the Commission is feasible and as a step towards the final stage of the studies, the two Governments shall agree, by means of a diplomatic instrument, on conditions for the preparation of the technical and economic project to give effect to the approved solution in the form usually followed for the presentation of projects of that kind to the competent financing organs.

*Article VI*

Once the final projects have been prepared and the budgetary resources required for their implementation have been calculated, the two Governments undertake to decide, through further diplomatic instruments, how to finance the works to be executed, either from their own resources or through loans from international agencies.

*Article VII*

The costs of the work of the Special Joint Commission shall be defrayed by the two countries, in the following manner :

(a) The cost of studies carried out exclusively in the territory of one of the two countries shall be borne by the respective Government;

(b) The cost of joint studies in border areas shall be shared equally by the two Governments.

*Article VIII*

It is hereby determined that, for the purpose of initiating the activities, the Government of Brazil shall provide the amount of Cr\$ 10,000,000 (ten million cruzeiros). This amount shall be increased by further advances made in response to requests by the Special Joint Commission and shall be entered in the accounts according to the rule of proportionality laid down in article VII.

*Article IX*

The proportion of the costs of the Joint Commission's work payable by the Government of the Republic of Bolivia under the provisions of article VII shall be reimbursed to the Government of the United States of Brazil, together with non-compound interest of 3.5 per cent per annum, within 30 months from the submission to the two Governments of the report referred to in article IV.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed this Preliminary Protocol in duplicate, in the Spanish and Portuguese languages, and have thereto affixed their seals [in the city of La Paz, on 29 March 1958].<sup>1</sup>

For the Government  
of the Federative Republic  
of Brazil :  
JOSÉ CARLOS DE MACEDO SOARES

For the Government  
of the Republic of Bolivia :  
MANUEL BARRAU PELÁEZ

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<sup>1</sup> In the Spanish text only.