

No. 12128

DENMARK
and
BRAZIL

Exchange of notes constituting an agreement establishing a consultation procedure between the governmental authorities of Denmark and Brazil in the field of shipping (with related notes). Brasília, 29 March 1972

Authentic texts : English and Portuguese.

Registered by Denmark on 1 November 1972.

DANEMARK
et
BRÉSIL

Échange de notes constituant un accord établissant une procédure de consultation en matière de transport maritime entre les autorités gouvernementales danoises et brésiliennes (avec notes connexes). Brasília, 29 mars 1972

Textes authentiques : anglais et portugais.

Enregistré par le Danemark le 1^{er} novembre 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE GOVERNMENT OF DENMARK AND
THE GOVERNMENT OF BRAZIL ESTABLISHING A CON-
SULTATION PROCEDURE BETWEEN THE GOVERN-
MENTAL AUTHORITIES OF DENMARK AND BRAZIL
IN THE FIELD OF SHIPPING

I

Brasília, March 29, 1972

Your Excellency,

I have the honor to refer to the discussions on shipping policy matters which have taken place between the Ministry of External Relations and the Embassy of Denmark and to confirm the understanding reached during these discussions as follows :

2. It is agreed that a consultation procedure be established between those Danish and Brazilian authorities which are directly interested in international maritime transportation. In the case of Brazil, these authorities are the Superintendência Nacional de Marinha Mercante of the Ministry of Transportation and the Secretaria-Geral Adjunta para Assuntos Econômicos of the Ministry of External Relations, and, in case of Denmark, the Ministry of Commerce, Shipping Division.

3. The Brazilian and Danish competent authorities will convene for consultations, whenever agreed, to examine any aspects in the maritime field of special concern to either of them.

4. It is understood that unless otherwise agreed the consultations will take place in Denmark in case the Brazilian competent authorities request the meeting, and in Brazil in case such a request is made by the Danish competent authorities.

5. The competent authorities may also communicate directly with each other, either by correspondence or through envoys, to deal with matters that do not require formal consultations.

6. Requests for consultations, as foreseen in the third paragraph above, may also be made through these same channels, so that the competent authorities may benefit from the facilities offered by the diplomatic services of the two Governments.

I would appreciate your confirmation that this note reflects accurately the

¹ Came into force on 29 March 1972 by the exchange of the said notes.

understanding which has been reached and that the Government of Brazil agrees with the above procedure.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

J. A. W. PALUDAN
Ambassador of Denmark

His Excellency Ambassador Mário Gibson Barbosa
Minister of Foreign Affairs
Brasília

II

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

Em 29 de março de 1972

DTC/DEOC/DAI/08/580(76)

Senhor Embaixador,

Tenho a honra de acusar recebimento da nota de Vossa Excelência, datada de 29 do corrente, com o seguinte teor :

« Senhor Ministro, Tenho a honra de referir-me às conversações sobre política de transportes marítimos que se realizaram entre o Ministério das Relações Exteriores e a Embaixada da Dinamarca e de confirmar o entendimento acordado durante essas conversações que é o seguinte :

« 2. Ficou acertado o estabelecimento de um mecanismo de consulta entre as autoridades governamentais da Dinamarca e do Brasil que tenham um interesse direto no transporte marítimo internacional. No caso do Brasil, essas autoridades são a Superintendência Nacional da Marinha Mercante do Ministério dos Transportes e a Secretaria Geral Adjunta para Assuntos Econômicos do Ministério das Relações Exteriores e, no caso da Dinamarca, a Divisão de Transportes Marítimos do Ministério do Comércio.

« 3. As autoridades competentes brasileiras e dinamarquesas se reunirão para consultas, sempre que necessário, durante as quais poderão examinar quaisquer aspectos no campo marítimo de interesse especial para uma das duas partes.

« 4. A menos que se convencie de outra maneira, fica entendido que as consultas terão lugar na Dinamarca, caso as autoridades competentes brasileiras solicitem o encontro, e no Brasil, caso a solicitação tenha sido feita pelas autoridades competentes dinamarquesas.

« 5. As autoridades competentes poderão também comunicar-se diretamente entre si, seja por correspondência seja por emissários, para tratar de assuntos cuja importância não requeira a convocação de consultas formais.

« 6. A solicitação de reuniões de consulta conforme estabelecido no parágrafo 3 acima, poderá também ser efetuada através dos mesmos canais, de forma que as autoridades competentes possam beneficiar-se das facilidades oferecidas pelos serviços diplomáticos dos dois Governos. »

2. Em resposta, transmito a Vossa Excelência o acordo do Governo brasileiro em relação à nota dinamarquesa, que reflete com exatidão os entendimentos havidos.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha mais alta consideração.

[Signed — Signé]¹

A Sua Excelência o Senhor Janus August Worm Paludan
Embaixador da Dinamarca

[TRANSLATION — TRADUCTION]

29 March 1972

DTC/DEOc/DAI/08/580(76)

Mr. Ambassador,

I have the honour to acknowledge receipt of Your Excellency's note dated 29 March, which reads as follows :

[See note I]

2. In reply, I convey to Your Excellency the agreement of the Brazilian Government with the Danish note, which reflects accurately the understanding which has been reached.

Accept, Sir, etc.

[MÁRIO GIBSON BARBOSA]

His Excellency Mr. Janus August Worm Paludan
Ambassador of Denmark

RELATED NOTES

I

NOTE VERBALE

The Royal Danish Embassy has the honor to refer to the exchange of notes of today's date establishing a consultation procedure between the governmental authorities of Denmark and Brazil in the field of shipping. In this connection the Embassy has been instructed to state the following :

The Danish Government supports and is internationally committed to pursue a shipping policy, which gives the users of shipping services freedom of

¹ Signed by Mário Gibson Barbosa — Signé par Mário Gibson Barbosa.

choice of tonnage regardless of flag. Furthermore, the Danish Government adheres to a policy of non-intervention by governments in international shipping, and has no legal powers to intervene in commercial agreements and operations of shipping companies on international freight markets.

The Royal Danish Embassy avails itself of this opportunity to renew to the Ministry of External Relations the assurances of its highest consideration.

Brasília, March 29, 1972.

II

[PORTUGUESE TEXT — TEXTE
PORTUGAIS]

[TRANSLATION — TRADUCTION]

MINISTERIO DAS RELAÇÕES EXTERIORES

MINISTRY OF FOREIGN AFFAIRS

O Ministério das Relações Exteriores cumprimenta a Embaixada da Dinamarca e tem a honra de acusar recebimento da nota verbal de 29 do corrente, sobre a política de transportes marítimos do Governo dinamarquês.

The Ministry of Foreign Affairs presents its compliments to the Danish Embassy and has the honour to acknowledge receipt of its note verbale dated 29 March concerning the shipping policy of the Danish Government.

2. Nesse contexto, o Ministério das Relações Exteriores deseja reafirmar que a política de transportes marítimos do Governo brasileiro é no sentido de que cada país deve assegurar à sua própria marinha mercante uma participação crescente e substancial no transporte das cargas geradas pelo seu comércio exterior e que cabe às respectivas autoridades marítimas governamentais adotar as medidas legais necessárias à consecução desse objetivo.

2. In that connexion, the Ministry of Foreign Affairs wishes to reaffirm that it is the Brazilian Government's shipping policy that each country must secure for its own merchant marine an increasing and substantial share of the freight transport generated by its foreign trade and that it is the responsibility of the respective governmental maritime authorities to adopt the legal measures required to attain that objective.

Brasília, em 29 de março de 1972.

Brasília, 29 March 1972.