

No. 16903

**BRAZIL
and
CZECHOSLOVAKIA**

Trade Agreement. Signed at Brasília on 19 July 1977

Authentic texts: Portuguese and Czech.

Registered by Brazil on 10 August 1978.

**BRÉSIL
et
TCHÉCOSLOVAQUIE**

Accord commercial. Signé à Brasília le 19 juillet 1977

Textes authentiques : portugais et tchèque.

Enregistré par le Brésil le 10 août 1978.

[TRANSLATION — TRADUCTION]

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC

The Government of the Federative Republic of Brazil and the Government of the Czechoslovak Socialist Republic (hereinafter referred to as “Contracting Parties”),

Having regard to the fact that both countries are members of the General Agreement on Tariffs and Trade,² in accordance with which their bilateral trade relations shall be conducted,

Wishing to strengthen and further develop trade relations between the two countries on a basis of equality and respect for each other’s interests,

Noting that the Trade and Payments Agreement, signed on 24 June 1960 and amended by an exchange of notes on 26 January 1967, needs to be adapted to current developments in trade between the two countries,

Have decided to abrogate it and to conclude a new Trade Agreement, reading as follows:

Article I. The Contracting Parties, in the interest of developing economic relations between them, shall strive, by all available means, to ensure an increase in trade between the two countries.

Sole paragraph. To that end the Contracting Parties shall take the necessary measures to ensure that the commitments deriving from this Agreement are duly fulfilled.

Article II. With respect to import duties and charges of any kind imposed on or in connection with imports or exports, or duty on international transfers for import or export payments, and with regard to the method of applying such duties and charges and with respect to all regulations and formalities related to imports and exports, any advantage, preference, privilege or immunity granted by one Contracting Party to any product originating in or intended for any third country shall immediately and unconditionally be granted to a comparable product originating in or intended for the territory of the other Contracting Party.

Article III. The provisions of this Agreement shall not apply to advantages, exemptions or facilities which:

- (a) Have been or may hereafter be accorded by either Contracting Party to adjacent countries in order to facilitate frontier traffic;
- (b) Have been or may hereafter be accorded by either Contracting Party to the other members of a free-trade zone or a customs union, of which it is a member;

¹ Came into force on 5 June 1978, the date on which the Contracting Parties notified each other of the completion of the necessary formalities, in accordance with article XIV.

² United Nations, *Treaty Series*, vol. 53, p. 187.

- (c) Have been or may hereafter be accorded by either Contracting Party under multilateral trade arrangements among developing countries in which one of the Contracting Parties is not a participant;
- (d) Derive from multilateral economic integration groups of which one Contracting Party is or may become a member.

Article IV. Imports and exports of goods and services under this Agreement shall be effected on the basis of contracts, setting out the commercial terms, between Brazilian enterprises, institutions and organizations and the corporations of the Czechoslovak Socialist Republic authorized to engage in external trade. The Governments of the two countries shall not be responsible for the execution of the commercial contracts concluded on the basis of this Agreement.

Article V. In accordance with the laws of the Federative Republic of Brazil, nationals and corporations of the Czechoslovak Socialist Republic engaging in the activities referred to in article IV of this Agreement shall enjoy in Brazil the same rights as the nationals and corporations of any other State with respect to protection of their persons and property.

In accordance with the laws of the Czechoslovak Socialist Republic, nationals and corporations of the Federative Republic of Brazil engaging in the activities referred to in article IV of this Agreement shall enjoy in the Czechoslovak Socialist Republic the same rights as the nationals and corporations of any other State, with respect to protection of their persons and property.

Article VI. The Contracting Parties shall endeavour to ensure, by such means as are at their disposal and as far as their circumstances permit, a progressive increase in the proportion of exports from Brazil to the Czechoslovak Socialist Republic consisting of Brazilian manufactures and semi-manufactures, without prejudice to exports of traditional goods or of raw materials.

Article VII. With a view to promoting the exchange of goods between the two countries, the Contracting Parties shall endeavour to encourage the exchange of commercial information and the holding of fairs and exhibitions in their respective territories and shall, whenever necessary, sponsor reciprocal visits by specialists in the economic and commercial field.

To that end, the Parties shall grant to each other the facilities provided for in their respective laws.

Article VIII. The Contracting Parties shall, subject to the specific provisions in force in the territory of the Contracting Party concerned, permit the import and export, free of customs duties or charges, of the following items:

- (a) Products and goods of no commercial value, and commercial advertising material intended for expositions;
- (b) Products and materials intended for permanent or temporary fairs and exhibitions, on condition that such products and materials shall be re-exported;
- (c) Machinery, tools and materials admitted on a temporary basis to the territory of one of the Contracting Parties as being necessary instruments for the performance of contractual services, including assembly and repair work, on condition that such goods shall not be sold.

Article IX. Payments relating to the exchange of products, goods and services under this Agreement, and other transfers between the two Countries, shall be made in freely convertible currency, in accordance with the laws in force at present or in the future in the territory of each of the Contracting Parties.

Article X. Vessels of each Contracting Party, and their cargoes and crews, shall enjoy most-favoured-nation treatment in the maritime ports or in the internal maritime or territorial waters of the other Contracting Party.

These provisions shall not apply to national coastal traffic, fishing or towage, or to the services of pilots in the territorial waters of the two Contracting Parties.

The Contracting Parties undertake to consider valid all ships' documents issued or approved by the competent authorities of the other Contracting Party and documents pertaining to the national flag, tonnage measurements, the identity of ship's crews and other matters pertaining to vessels and cargo.

Article XI. The expiry of this Agreement shall not affect:

- (a) The validity of approvals given during the term of the Agreement by the authorities of the two Contracting Parties;
- (b) The validity of commercial and financial contracts concluded during the term of the Agreement and not yet executed;
- (c) The full application of all its provisions to the aforementioned contracts.

Article XII. With a view to developing trade relations between the two countries and promoting economic co-operation and trade between the Federative Republic of Brazil and the Czechoslovak Socialist Republic, the Contracting Parties agree to establish a Mixed Commission composed of representatives of the two countries, which shall meet at the request of either Party, at least once every two years, alternately in the two capital cities.

Article XIII. The Trade and Payments Agreement signed on 24 June 1960, as amended by the notes exchanged on 26 January 1967, shall be abrogated.

Article XIV. This Agreement shall be subject to approval by the competent authorities of each of the Contracting Parties in accordance with their respective legal provisions.

The Contracting Parties shall notify each other of the completion of the necessary formalities for the entry into force of the Agreement, which shall enter into force with effect from the date of the exchange of such notifications, for a term of five years, and shall thereafter be automatically extended for successive periods of one year, unless denounced, through the diplomatic channel, at least 180 days before the expiry of any such period.

Article XV. This Agreement was done and signed at Brasília, on 19 July 1977, in two original copies in the Portuguese and Czech languages, both texts being equally authentic.

For the Government
of the Federative Republic of Brazil:

[Signed]

ANTONIO S. AZEREDO DA SILVEIRA

For the Government
of the Czechoslovak Socialist Republic:

[Signed]

ANDREJ BARČAK