

**No. 22681**

---

**BRAZIL  
and  
COLOMBIA**

**Agreement on cinematographic co-production supplementing the Agreement on cultural exchanges. Signed at Cali, Colombia, on 7 December 1983**

*Authentic texts: Portuguese and Spanish.  
Registered by Brazil on 20 January 1984.*

---

**BRÉSIL  
et  
COLOMBIE**

**Accord concernant la coproduction cinématographique complémentaire à l'Accord relatif aux échanges culturels. Signé à Cali (Colombie) le 7 décembre 1983**

*Textes authentiques : portugais et espagnol.  
Enregistré par le Brésil le 20 janvier 1984.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON CINEMATOGRAPHIC CO-PRODUCTION SUPPLEMENTING THE AGREEMENT ON CULTURAL EXCHANGES BETWEEN BRAZIL AND COLOMBIA<sup>2</sup>

The Government of the Federative Republic of Brazil and the Government of the Republic of Colombia, further to article XII of the Agreement on Cultural Exchanges concluded between the two Governments on 20 April 1963,<sup>2</sup> and desiring to facilitate the joint production of films which, by their artistic and technical merits, will contribute to their peoples' knowledge of one another and the development of cultural relations between the two States, have agreed as follows:

*Article 1.* The Government of the Federative Republic of Brazil and the Government of the Republic of Colombia shall promote Brazilian-Colombian cinematographic co-productions through the Brazilian Film Corporation, EMBRAFILME, and the Cinematographic Promotion Company, FOCINE.

*Article 2.* The two Governments shall facilitate the travel and stay of artistic and technical personnel working on co-produced films, in keeping with the spirit of this Agreement.

*Article 3.* The two Governments shall authorize, through their competent authorities and in accordance with the laws in force, the temporary import of materials and equipment necessary for working on co-produced films. They shall also facilitate remittances of foreign currency to pay for the materials and services provided, in accordance with the relevant rules in force in both countries.

*Article 4.* The two Governments shall grant to films produced in either of their countries, and considered by the Ministry of Education and Culture in Brazil or the Ministry of Communications in Colombia to be of an educational or promotional nature, the treatment provided for in the Convention on Facilities for Educational or Promotional Films, signed at Buenos Aires on 23 December 1936, to which they are both parties.

*Article 5.* In order to carry out co-productions promoted by the two Governments, EMBRAFILME and FOCINE shall sign, in each case and in accordance with their own statutes and rules in force, a contract establishing the terms of the corresponding filming.

*Article 6.* For the purpose of granting special treatment to films, the principle of reciprocity shall be taken into account.

*Article 7.* Films co-produced by Brazil and Colombia shall be treated as nationally produced films by the competent authorities of both countries, provided that they are made in accordance with the legal provisions in force in each country. Such

<sup>1</sup> Came into force on 7 December 1983 by signature, in accordance with article 13.

<sup>2</sup> United Nations, *Treaty Series*, vol. 975, p. 269.

films shall enjoy the advantages accorded to national films by the legal provisions in force, or those to be promulgated, in each co-producing country. To enjoy the benefits of this Agreement, co-producers must fulfil all the obligations laid down by their respective national laws, for entitlement to the privileges accorded to national cinematographic production. Co-produced films must also be made by companies which are properly organized both technically and financially and whose professional experience is recognized by the competent national authorities.

*Article 8.* Co-produced films sponsored by EMBRAFILME and FOCINE shall be made with actors, technicians and performers of Brazilian or Colombian nationality. Taking into account the requirements of the film, nationals of third countries may be allowed to participate on an exceptional basis, subject to prior agreement between the competent authorities of the two countries, provided that the proportion of such participants does not distort the purposes of this Agreement.

*Article 9.* The credits on co-produced films shall include, in a separate section both the names of the companies that made the film and the designation "BRAZILIAN-COLOMBIAN CO-PRODUCTION" or "COLOMBIAN-BRAZILIAN CO-PRODUCTION", depending on each country's input. Films shall be presented at international festivals by the country whose financial input was greater, except where agreement to the contrary has been reached between the co-producing companies and approved by the competent authorities of the two countries.

*Article 10.* Within the framework of the legislation in force, the import, export and distribution of films declared to be nationally produced shall not be subjected to any restrictions by either Party. Each Contracting Party shall facilitate in its own territory the distribution of films recognized as national films by the other country. Revenues from the sale and marketing of such films shall be remitted in accordance with the terms of the co-production contract and in conformity with the legislation in force in each country. All films imported from either country under this Agreement shall be accompanied by a certificate of nationality issued by the competent authorities and stating that the film is of Brazilian or Colombian nationality as the case may be.

*Article 11.* The competent authorities of the two countries shall communicate to each other technical and financial information relating to the co-production and exchange of films and to cinematographic relations in general between the two countries.

*Article 12.* Brazilian-Colombian cinematographic co-productions by private companies shall comply with the laws in force and shall enjoy the treatment provided for in this Agreement, subject to the consent of the competent bodies of each Party.

*Article 13.* This Agreement, signed in accordance with instruments in force between the two countries, shall enter into force on the date of its signature. It shall remain in force for two years and shall be automatically renewed for successive two-year periods unless one of the Parties informs the other in writing, two (2) months prior to the expiration date of the corresponding period, that it wishes to terminate it. This Agreement may be denounced by either Party, in which case the denunciation shall take effect ninety (90) days after the date on which the corresponding notification was received.

DONE at Cali on 7 December 1983, in two copies in the Spanish and Portuguese languages, both texts being equally authentic.

For the Government  
of the Federative Republic  
of Brazil:

*[Signed]*

RAMIRO SARAIVA GUERREIRO  
Minister for Foreign Affairs

For the Government  
of the Republic of Colombia:

*[Signed]*

RODRIGO LLOREDA CAICEDO  
Minister for Foreign Affairs

---