

**No. 26964**

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**BRAZIL  
and  
ECUADOR**

**Supplementary Agreement on shipbuilding and related civil  
construction. Signed at Quito on 26 October 1989**

*Authentic texts: Portuguese and Spanish.*

*Registered by Brazil on 11 December 1989.*

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**BRÉSIL  
et  
ÉQUATEUR**

**Accord complémentaire relatif à l'industrie navale et à la  
construction civile s'y rapportant. Signé à Quito le  
26 octobre 1989**

*Textes authentiques : portugais et espagnol.*

*Enregistré par le Brésil le 11 décembre 1989.*

## [TRANSLATION — TRADUCTION]

SUPPLEMENTARY AGREEMENT<sup>1</sup> ON SHIPBUILDING AND RELATED CIVIL CONSTRUCTION BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE REPUBLIC OF ECUADOR

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

Desiring to promote and expand cooperation in shipbuilding and related civil construction; and

Mindful of the benefits to be derived from such cooperation pursuant to the Basic Agreement on Technical Co-operation signed by the two countries at Brasília on 9 February 1982;<sup>2</sup>

Agree as follows:

*Article I*

The Parties shall promote cooperation with each other in shipbuilding and related civil construction with regard to their economic, technical and technological aspects, on the basis of the principles of mutual benefit, equality and reciprocity, and through the use of the most recent projects in these areas in the two countries.

*Article II*

The agencies responsible for the execution of this Supplementary Agreement shall be, for Brazil, the Ministério da Marinha (Ministry of Maritime Affairs) through the Empresa Gerencial de Projetos Navais — EMGEPRON (Naval Projects Management Enterprise) and, for Ecuador, Astilleros Navales Ecuatorianos — ASTINAVE (Ecuadorian Shipyards).

*Article III*

The areas of cooperation provided for under article I shall be, *inter alia*, the following:

- (a) Feasibility studies;
- (b) Projects;
- (c) Civil construction of shipyards;
- (d) Ship repair and maintenance;
- (e) Shipbuilding;
- (f) Systems, equipment, armaments, ammunition and other material for naval use;
- (g) Sea and air defence systems;
- (h) Simulation systems;

<sup>1</sup> Came into force on 26 October 1989 by signature, in accordance with the provisions of article IX (1).

<sup>2</sup> United Nations, *Treaty Series*, vol. 1364, p. 341.

- (i) Training of administrative and technical personnel for shipyards;
- (j) Organization, planning and administrative control of shipyards;
- (k) Training in the operation of ships.

#### *Article IV*

1. The Parties shall also promote the provision of reciprocal consultancy and engineering services with respect to projects in shipbuilding and related civil construction to be carried out in their territories by the agencies executing this Supplementary Agreement and agencies affiliated to them, in accordance with their respective national legislations and specific contracts.

2. Should the financing be secured by the Brazilian side, the Parties shall, for the purpose of achieving the objectives laid down in article III, resort exclusively to Brazilian and Ecuadorian enterprises selected by mutual agreement.

#### *Article V*

Cooperation between the Parties shall be carried out through the exchange of information, technical missions and visits by experts, and such other forms of cooperation as may be agreed between the agencies executing this Supplementary Agreement.

#### *Article VI*

1. Information exchanged between the executing agencies or agencies affiliated to them may be transmitted to third parties only with the previous written consent of the agency providing the information. The executing agencies and agencies affiliated to them may freely use the above-mentioned information.

2. The exchange of information provided for under this Supplementary Agreement shall not include the granting or transfer of licences for any patent, including patents in use, and shall not affect any other patent ownership rights of the executing agency possessing such information.

#### *Article VII*

1. The executing agencies shall establish a joint working group to define and evaluate the cooperation programmes; the group shall meet alternately in Ecuador and in Brazil on dates to be agreed by the executing agencies.

2. The executing agencies shall keep the Ministries of Foreign Affairs of their respective countries informed about the joint working group's activities.

#### *Article VIII*

Each Party shall submit to the other Party for its consideration and approval the names and curricula vitae of the technicians and specialists under the exchange programme.

#### *Article IX*

1. This Supplementary Agreement shall enter into force upon its signature. It shall be valid for a period of five years and shall be automatically renewable for successive five-year periods, unless one of the Parties gives at least six months' notice to the other, through the diplomatic channel, of its decision to terminate it.

2. Termination of this Supplementary Agreement shall not affect the execution of ongoing programmes, projects or contracts, unless the Parties agree otherwise.

DONE at Quito on 26 October 1989, in duplicate in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government  
of the Federative Republic  
of Brazil:

[*Signed*]

PAULO TARSO FLECHA DE LIMA

For the Government  
of the Republic of Ecuador:

[*Signed*]

DIEGO CORDOVEZ

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