

No. 29195

**BRAZIL
and
URUGUAY**

Agreement on cooperation for the utilization of the natural resources and the development of the Quaraí River Basin. Signed at Artigas on 11 March 1991

Exchange of notes constituting an agreement putting into effect provisionally the above-mentioned Agreement. Brasília, 16 September 1991

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 26 October 1992.

**BRÉSIL
et
URUGUAY**

Accord de coopération pour l'exploitation des ressources naturelles et la mise en valeur du bassin du fleuve Quaraí. Signé à Artigas le 11 mars 1991

Échange de notes constituant un accord en vue de la mise en vigueur à titre provisoire de l'Accord susmentionné. Brasília, 16 septembre 1991

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 26 octobre 1992.

[TRANSLATION — TRADUCTION]

AGREEMENT ON COOPERATION BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE EASTERN REPUBLIC OF URUGUAY FOR THE UTILIZATION OF THE NATURAL RESOURCES AND THE DEVELOPMENT OF THE QUARAI RIVER BASIN

The Government of the Federative Republic of Brazil and the Government of the Eastern Republic of Uruguay (hereinafter referred to as the "Contracting Parties").

Considering:

The fraternal and traditional friendship between their two nations,

The need to make increasingly effective the principles of good-neighbourliness and close cooperation between the two nations.

The spirit of the Treaty of friendship, cooperation and trade concluded on 12 June 1975,¹

The characteristics of the Quaraí River Basin, which constitute an appropriate basis for the implementation of joint economic and social development projects,

The mission of conserving the environment for future generations, and

The aim of improving the living conditions of border populations and promoting utilization of the resources of border areas on an equitable basis.

Have agreed as follows:

Article I

The Contracting Parties undertake to pursue and expand their close cooperation with a view to promoting the development of the Quaraí River Basin.

Article II

1. The Contracting Parties shall make every effort to attain, *inter alia*, the following objectives:

(a) An improvement in the economic and social conditions of the inhabitants of the region;

(b) Sound and equitable water use for domestic, urban, agricultural and industrial purposes;

(c) The regulation of watercourses and the control of flooding,

(d) The setting up of irrigation and drainage systems for agricultural purposes;

(e) The solution of problems caused by the inappropriate use of water;

¹ Came into force on 17 September 1975, i.e., 30 days after the date of receipt of the last of the notifications (of 6 May and 18 August 1972) by which the Parties had informed each other of the completion of the required constitutional procedures, in accordance with article VI.

² United Nations, *Treaty Series*, vol. 1370, p. 247.

- (f) The protection and appropriate use of mineral, plant and animal resources;
- (g) The production, distribution and use of hydroelectric and other sources of power;
- (h) An increase in navigation and other means of transport and communication;
- (i) The industrial development of the region;
- (j) The development of specific projects of mutual interest;
- (k) The rehabilitation and conservation of the environment;
- (l) The management, appropriate use, recovery and conservation of water resources, taking into account the characteristics of the Quarai River Basin;
- (m) The management, conservation, appropriate use and reclamation of the region's soils.

2. The Contracting Parties shall establish the priorities to be observed in relation to the goals set.

Article III

The field of application of this Agreement shall be the Quarai River Basin and areas directly and significantly affected by it, which shall, if necessary, be defined by mutual agreement between the Contracting Parties.

Article IV

For the implementation of this Agreement, the Contracting Parties shall establish a Brazilian-Uruguayan Joint Commission for the Development of the Quarai River Basin. Until such time as the Parties adopt its statute and allocate the necessary funds for its operation, the Joint Commission shall be governed by the provisions of the Statute of the Brazilian-Uruguayan Joint Commission for the Development of the Mirim Lagoon Basin and shall use its facilities and organizational structure, adapting them as necessary.

Article V

The Joint Commission shall have the following duties:

- (a) To study technical, scientific, economic and social matters relating to the development of the Quarai River Basin;
- (b) To submit to the Governments proposals for projects and activities to be implemented in the region;
- (c) To manage and contract for, with the prior express authorization of the Governments in each case, the financing of studies, projects and activities;
- (d) To supervise the execution of projects, activities and works and coordinate their subsequent operation;
- (e) To conclude contracts necessary for the execution of projects approved by the Governments, seeking the Governments' express authorization in each case;
- (f) To take into account the environmental impact of each project and, if necessary, the corresponding studies;

(g) To coordinate among the competent agencies of the Parties the sound and equitable management, use, recovery and conservation of the Basin's water and other natural resources;

(h) To transmit promptly to the competent agencies of the Parties any communications, questions, information and notifications relating to this Agreement;

(i) Such other duties as are entrusted to it by this Agreement and any others which the Contracting Parties may agree to entrust to it by an exchange of notes or other kinds of agreement.

Article VI

Each Contracting Party shall notify the other, through the diplomatic channel, of completion of its constitutional formalities required for the entry into force of this Agreement, which shall take place 30 days after the date of the second notification.

Article VII

This Agreement may be denounced by either Contracting Party through a diplomatic note. In such case, denunciation shall take effect one year after the delivery of such notification.

DONE at Artigas on 11 March 1991, in two originals in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic of Brazil:

[Signed]

FRANCISCO REZEK

For the Government
of the Eastern Republic of Uruguay:

[Signed]

ENRIQUE SILVA CIMMA

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE EASTERN REPUBLIC OF URUGUAY PUTTING INTO EFFECT PROVISIONALLY THE AGREEMENT OF 11 MARCH 1991² ON COOPERATION FOR THE EXPLOITATION OF NATURAL RESOURCES AND THE DEVELOPMENT OF THE QUARAÍ RIVER BASIN

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL ET LE GOUVERNEMENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY EN VUE DE LA MISE EN VIGUEUR À TITRE PROVISOIRE DE L'ACCORD DE COOPÉRATION DU 11 MARS 1991² POUR L'EXPLOITATION DES RESSOURCES NATURELLES ET LA MISE EN VALEUR DU BASSIN DU FLEUVE QUARAÍ

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

Em 16 de setembro de 1991

DA/DAM-IDE/MA/DF/DC/N/C/58/PAIN L.60 666

Senhor Ministro.

Tenho a honra de dirigir-me a Vossa Excelência com relação ao Acordo de Cooperação entre a República Federativa do Brasil e a República Oriental do Uruguai para o Aproveitamento dos Recursos Naturais e o Desenvolvimento da Bacia do Rio Quaraí (Acordo do Rio Quaraí), assinado na cidade de Artigas, em 11 de março de 1991.

¹ Came into force on 15 October 1991, i.e., 29 days after the date of the exchange of notes, in accordance with the provisions of the said notes.

² See p. 15 of this volume.

¹ Entré en vigueur le 15 octobre 1991, soit 29 jours après la date de l'échange de notes, conformément aux dispositions des dites notes.

² Voir p. 15 du présent volume.

[TRANSLATION]

16 September 1991

DAIDAM IDEMADEDEONKICISKPAIN LIG EGG

Sir,

I have the honour to refer to the Agreement on cooperation between the Federative Republic of Brazil and the Eastern Republic of Uruguay for the utilization of the natural resources and the development of the Quaraí River Basin (Quaraí River Agreement), signed in the city of Artigas on 11 March 1991.

2. In this connection and in view of the importance which both our countries attach to the development of the border region, I propose that the Agreement should apply provisionally as regards the establishment of the Brazilian-Uruguayan Joint Commission for the Development of the Quaraí River Basin provided for in article IV.

3. The Commission shall function on an *ad hoc* basis within the scope of the Agreement. It shall perform advisory and coordinating functions with regard to the duties referred to in articles II and V and shall coordinate the preparation of the project for the utilization of the natural resources and the development of the Quaraí River Basin.

4. This note and your note of the same date and content shall constitute an agreement between our two Governments, which shall enter into force 30 days from today's date.

I take this opportunity, etc.

[FRANCISCO REZEK]

His Excellency

Mr. Héctor Gros Espiell
Minister for Foreign Affairs of the Eastern Republic of Uruguay

[TRADUCTION]

Le 16 septembre 1991

DAIDAM IDEMADEDEONKICISKPAIN LIG EGG

Monsieur le Ministre.

J'ai l'honneur de m'adresser à votre Excellence au sujet de l'Accord de coopération entre la République fédérative du Brésil et la République orientale de l'Uruguay pour l'exploitation des ressources naturelles et la mise en valeur du bassin du fleuve Quaraí (Accord du fleuve Quaraí), signé en la ville d'Artigas le 11 mars 1991.

2. A cet égard et ayant en vue l'importance que revêt pour les deux pays la mise en valeur de la région frontalière, je propose qu'en ce qui concerne la constitution de la Commission mixte brésil-uruguayenne pour la mise en valeur du bassin du fleuve Quaraí (CRQ), prévue à l'article IV, il soit procédé à l'application provisoire de l'Accord.

3. Cette Commission, de caractère *ad hoc*, agira dans le cadre de l'Accord, aura des fonctions consultatives et de coordination, en relation avec les attributions mentionnées aux articles II et V, et sera chargée de coordonner la mise au point du projet pour l'exploitation des ressources naturelles et la mise en valeur du bassin du fleuve Quaraí.

4. La présente note et celle de votre Excellence, de teneur identique et de même date, constituent un Accord entre les deux Gouvernements, qui entrera en vigueur 30 jours après la date de ce jour.

Je saisis cette occasion, etc.

[FRANCISCO REZEK]

Son Excellence

Monsieur Hector Gros Espiell
Ministre des relations extérieures de la République orientale de l'Uruguay

[TRANSLATION]

MINISTRY OF FOREIGN AFFAIRS

Brasília, 16 September 1991

Sir,

I have the honour to refer to the Agreement on cooperation between the Eastern Republic of Uruguay and the Federative Republic of Brazil for the utilization of the natural resources and the development of the Quaraí River Basin, signed in the city of Artigas on 11 March 1991.

In this connection and in view of the importance which both our countries attach to the development of the border region, I propose that the Agreement should apply provisionally as regards the establishment of the Brazilian-Uruguayan Joint Commission for the Development of the Quaraí River Basin provided for in article IV.

The Commission shall function on an *ad hoc* basis within the scope of the Agreement. It shall perform advisory and coordinating functions with regard to the duties referred to in articles II and V and shall coordinate the preparation of the project for the utilization of the natural resources and the development of the Quaraí River Basin.

This note and your note of the same date and content shall constitute an agreement between our two Governments, which shall enter into force 30 days from today's date.

Accept, Sir, etc.

HÉCTOR GROS ESPIELL

His Excellency

Mr. Francisco Rezek
Minister for Foreign Affairs of the Fed-
erative Republic of Brazil

[TRADUCTION]

MINISTÈRE DES RELATIONS
EXTÉRIEURES

Brasília, le 16 septembre 1991

Monsieur le Ministre,

J'ai l'honneur de m'adresser à votre Excellence au sujet de l'Accord de coopération entre la République orientale de l'Uruguay et la République fédérative du Brésil pour l'exploitation des ressources naturelles et la mise en valeur du bassin du fleuve Quaraí (Accord du fleuve Quaraí), signé en la ville d'Artigas le 11 mars 1991.

À cet égard et ayant en vue l'importance que revêt pour les deux pays la mise en valeur de la région frontalière, je propose qu'en ce qui concerne la constitution de la Commission mixte uruguayo-brésilienne pour la mise en valeur du bassin du fleuve Quaraí (CRQ), prévue à l'article IV, il soit procédé à l'application provisoire de l'Accord.

Cette Commission, de caractère *ad hoc*, agira dans le cadre de l'Accord, aura des fonctions consultatives et de coordination, en relation avec les attributions mentionnées aux articles II et V, et sera chargée de coordonner la mise au point du projet pour l'exploitation des ressources naturelles et la mise en valeur du bassin du fleuve Quaraí.

La présente note et celle de votre Excellence, de teneur identique et de même date, constituent un Accord entre les deux Gouvernements, qui entrera en vigueur 30 jours après la date de ce jour.

Veuillez agréer, etc.

[HÉCTOR GROS ESPIELL]

Son Excellence

Monsieur Francisco Rezek
Ministre des relations extérieures de la
République fédérative du Brésil