

No. 9420

**BRAZIL
and
ARGENTINA**

**Agreement on Maritime Transport. Signed at Buenos Aires
on 27 September 1968**

Authentic texts : Portuguese and Spanish.

Registered by Brazil on 21 February 1969.

**BRÉSIL
et
ARGENTINE**

**Accord sur les transports maritimes. Signé à Buenos Aires
le 27 septembre 1968**

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 21 février 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE FEDERATIVE REPUBLIC
OF BRAZIL AND THE REPUBLIC OF ARGENTINA
ON MARITIME TRANSPORT

The Government of the Federative Republic of Brazil and

The Government of the Republic of Argentina,

Considering the desirability of developing trade between Brazil and Argentina and of promoting a better and more rational use of the shipping capacity of the two countries,

Recognizing the need for effective and regular maritime transport services and for adequate and stable freight rates,

Bearing in mind the fact that Brazilian and Argentine shipowners are the carriers directly concerned with marine freight in the trade between the two countries,

Taking into account the recommendations made in the Final Act adopted by the Special Brazilian-Argentine Commission on Co-ordination at its IVth meeting,

Have agreed as follows :

Article I

1. The Contracting Parties shall endeavour to establish efficient shipping services between Brazilian and Argentine ports which will operate as frequently and as regularly as trade may require. The services shall be made available by shipowners of both countries.
2. The term " authorized shipowner or shipowners " means any national shipowner or shipowners of either Contracting Party authorized by the competent maritime authorities to provide the shipping services mentioned in paragraph 1 of this article.
3. The term " competent maritime authorities " means, respectively, the Merchant Marine Commission of Brazil (Commissao de Marinha Mercante do Brasil) and the National Merchant Marine Council of Argentina (Consejo Nacional de la Marina Mercante de la Argentina).

¹ Came into force on 27 September 1968 by signature, in accordance with article IX.

4. The shipping capacity to be made available by the authorized shipowner or shipowners of the two Contracting Parties shall, in the aggregate, be adapted to the requirements of the trade between the two countries, always bearing in mind the balance between the space made available, on the one hand, by the authorized shipowner or shipowners of one Contracting Party and, on the other hand, by the authorized shipowner or shipowners of the other Contracting Party.
5. For the purposes of the authorization provided for in paragraph 2, the competent maritime authorities shall undertake, before such authorization is granted, to ensure strict compliance in every case with the conditions specified in point 2 of the Final Act on Maritime Transport of 22 December 1958.

Article II

1. Goods consigned from Brazilian ports to Argentine ports, and *vice versa*, shall be transported in vessels flying the national flag of the Contracting Parties, each Party to receive an equal share of the total freight carried. For the purpose of ensuring an equal division of the total freight carried, the Freight Conference mentioned in Article III, paragraph 1, shall set up operational machinery to ensure, in respect of traffic moving in either direction, an equitable apportionment among the group of authorized shipowners of the Contracting Parties.
2. The transport mentioned in paragraph 1 of this article covers cargoes receiving favoured treatment from the Government of either Contracting Party.
3. Implementation of the provisions of paragraph 1 of this article shall be subject to the following order of priorities :
 - 3.1 transport, in either direction, in vessels flying the Brazilian or Argentine flag, the freight to be pro-rated in accordance with the conditions laid down in paragraph 1 of this article ;
 - 3.2 transport, in vessels flying one of the national flags, of that portion of the other's quota which the country concerned is unable to carry.
4. For the purposes of paragraph 1 of this article, the vessels owned by the authorized shipowner or shipowners, and the domestic or foreign vessels chartered or hired by the shipowner or shipowners authorized by the competent maritime authorities of one or other of the Contracting Parties to provide the shipping services envisaged in this Agreement, shall be regarded as " vessels flying the national flag ".