

No. 9428

**BRAZIL
and
SPAIN**

**Agreement on migration. Signed at Madrid on
27 December 1960**

Authentic texts : Portuguese and Spanish.

Registered by Brazil on 24 February 1969.

**BRÉSIL
et
ESPAGNE**

**Accord sur les migrations. Signé à Madrid le
27 décembre 1960**

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 24 février 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF BRAZIL AND THE GOVERNMENT
OF THE SPANISH STATE ON MIGRATION

PREAMBLE²

The President of the Republic of the United States of Brazil and the
Chief of the Spanish State,

Convinced of the need to regulate co-operation between the two countries
in the matter of migration and to organize and assist migration in a manner
compatible with their respective interests, and aware that the application of
an objective and appropriate policy, based on the spirit of international
co-operation and having as its aim the economic development of Brazil
through the utilization of Spanish technology and manpower, will serve to
strengthen the ties of traditional friendship uniting them, have decided to
conclude this Agreement on Migration and have for this purpose appointed as
their plenipotentiaries :

The President of the Republic of the United States of Brazil : His Excellency
Mr. João Pizarro Gabizo de Coelho Lisboa, Ambassador of the United
States of Brazil to the Government of the Spanish State ;

The Chief of the Spanish State : His Excellency Mr. Fernando Maria Castiella
y Maíz, Minister for Foreign Affairs,

Who, having communicated to each other their full powers, found in
good and due form, have agreed as follows :

PURPOSES

Article 1

The purpose of this Agreement is to direct, regulate and assist the flow
of Spanish migrants to Brazil through the joint efforts of both High Con-
tracting Parties, so that the migration problems affecting the two countries
may be solved in a practical, speedy and effective manner, bearing in mind
the desirability of preserving the unity of the family.

¹ Came into force on 10 June 1964 by the exchange of the instruments of ratification,
which took place at Brasilia, in accordance with article 58.

² This title appears in the Portuguese text only.

Article 2

Spanish migration to Brazil may be either planned or spontaneous ; both forms of migration shall receive the full support and protection of the High Contracting Parties. The latter may avail themselves of the co-operation and assistance of the Intergovernmental Committee for European Migration or of other international bodies within the framework of programmes agreed upon beforehand.

SPONTANEOUS MIGRATION

Article 3

Spontaneous migration is that undertaken on the initiative and at the expense of the migrants either singly or collectively, as a family or in groups of families.

Article 4

The Governments of the High Contracting Parties may, through an exchange of notes, increase and facilitate the spontaneous migration of Spaniards to Brazil, undertaking, for that purpose, to furnish all information likely to be of guidance to them and to promote all measures capable of benefiting them.

Article 5

Spontaneous migrants shall be exempt from the payment of consular fees for the issuance of their permanent visas.

PLANNED MIGRATION

Article 6

Planned migration shall take place according to programmes drawn up by agreement between and with the assistance of the High Contracting Parties.

Article 7

The planned migration of Spaniards to Brazil shall include the following categories :

- (a) technicians, craftsmen, specialists and skilled, semi-skilled or experienced workers, subject to the requirements of the Brazilian labour market and of the relevant Brazilian legislation ;

- (b) production units or enterprises of an industrial or technical character likely to contribute to the economic development of Brazil, as determined beforehand by the competent Brazilian authorities ;
- (c) farmers, technicians specializing in rural industries and related activities, agricultural workers, cattle-hands, crop-farmers, cattle-breeders and peasants in general who migrate with the intention of settling forthwith, whether or not as landowners ;
- (d) associations or co-operatives of farmers, crop-farmers, agricultural workers and cattle-hands who emigrate collectively with the intention of settling, as landowners or otherwise, on plantations or ranches, in agricultural or stock-raising enterprises or in settlement units in Brazil already existing or proposed ;
- (e) members of migrants' families who accompany them under the system of planned migration or are sent for by Spanish migrants domiciled in Brazil.

Article 8

Spanish migrants who settle in Brazil under the system of planned migration shall enjoy all facilities provided for in this Agreement or to be granted under special arrangements by an exchange of notes between the two Governments.

Article 9

The Spanish Government shall authorize the duty-free export of the following items belonging to migrants going to settle in Brazil under the system of planned migration, in addition to personal and household effects :

- (a) tools, instruments and small machines in the case of craftsmen and skilled workers ;
- (b) a bicycle or motorcycle or motor scooter, a sewing-machine and a manual knitting machine, all of which must have been used ;
- (c) agricultural equipment, implements and machinery, including tractors and machinery for the processing of agricultural and animal products, in the case of migrants who are farmers, agricultural workers, cattle-hands or technicians specializing in rural industries ;
- (d) thoroughbred stock or selected seeds and plants of scientific or economic value.

Article 10

1. The Brazilian Government shall exempt the items mentioned in article 9 above from prior licensing, import duties, consumption taxes, custom-house fees and any other charges applicable to goods brought into the country.

2. The items exempted under this article may not be sold until two years have elapsed from the date of their entry into Brazil. If the migrant is obliged to leave the country before the two years have expired, he shall be entitled to take his possessions with him.

Article 11

The benefits mentioned in articles 9 and 10 above shall be restricted to items corresponding to the qualifications of the migrant, in a quantity commensurate with his economic situation and sufficient to enable him to begin his activities in Brazil.

PRELIMINARY SELECTION AND SELECTION ¹

Article 12

1. In order that the Spanish Emigration Institute may prepare its planned migration programmes, the National Institute of Immigration and Settlement of Brazil shall inform it, at least once a year, of Brazilian requirements in respect of Spanish workers, such requirements to be classified by economic activity and occupational category.

2. The Spanish Emigration Institute shall in turn inform the National Institute of Immigration and Settlement of the conditions in which it could satisfy those requirements and shall, as appropriate, submit to it the offers of services made by Spaniards who wish to emigrate.

3. Within the limits of each country's possibilities, the two Institutes shall organize planned migration programmes, for the preparation of which the Brazilian authorities shall provide detailed and up-to-date information on living, environmental and working conditions in Brazil for the various occupational categories required and on housing, wages and pension and social welfare benefits.

4. The Spanish authorities shall disseminate this information properly, so that potential emigrants may be fully informed.

Article 13

1. The competent Spanish authorities shall carry out the preliminary selection of candidates for planned migration, in accordance with the categories specified in article 7 and on the basis of the information furnished by the Brazilian Government, and shall prepare a list of the candidates containing the particulars necessary to enable a final selection to be made.

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