

No. 53795*

**Switzerland
and
Brazil**

Exchange of letters constituting an agreement between the Government of the Swiss Confederation and the Government of the Federative Republic of Brazil on reciprocal exemption of short-stay visa for holders of ordinary passports. Bern, 21 April 2015

Entry into force: *21 May 2015 by the exchange of the said letters, in accordance with their provisions*

Authentic texts: *English, French and Portuguese*

Registration with the Secretariat of the United Nations: *Switzerland, 15 July 2016*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Suisse
et
Brésil**

Échange de lettres entre le Gouvernement de la Confédération suisse et le Gouvernement de la République fédérative du Brésil concernant l'exemption réciproque de visa de court séjour pour les titulaires de passeports ordinaires. Berne, 21 avril 2015

Entrée en vigueur : *21 mai 2015 par l'échange desdites lettres, conformément à leurs dispositions*

Textes authentiques : *anglais, français et portugais*

Enregistrement auprès du Secrétariat des Nations Unies : *Suisse, 15 juillet 2016*

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[ENGLISH TEXT – TEXTE ANGLAIS]

Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA
The State Secretary

CH-3003 Bern, EDA

Son Excellence
Monsieur l'Ambassadeur Sergio Danese
Secrétaire général des relations extérieures
Ministère des relations extérieures de la
République fédérative du Brésil
Esplanada dos Ministérios, Bloco H
Brasília – DF
CEP 70.170-900
Brésil

Berne, 21.04.2015

Short-stay visa waiver for holders of ordinary passports

Your Excellency,

I have the honour to propose that, with a view to further developing friendly relations between our two countries, safeguarding the principle of reciprocity and facilitating travel for our respective nationals, the Government of the Swiss Confederation (Switzerland) and the Government of the Federative Republic of Brazil (Brazil) (hereinafter jointly referred to as the "Parties" or separately as the "Party") adopt the following measures on the issue of short-stay visa waiver for the nationals of Switzerland when travelling to the territory of Brazil and for the nationals of Brazil when travelling to the territory of Switzerland, for tourism and business purposes only, for a maximum period of ninety (90) days in any one hundred and eighty (180) day period:

- 1.1 The nationals of Switzerland holding a valid ordinary passport issued by Switzerland may enter and stay without a visa in the territory of Brazil for the period of stay as defined in paragraph 2.1.
- 1.2 The nationals of Brazil holding a valid ordinary passport issued by Brazil may enter and stay without a visa in the territory of Switzerland for the period of stay as defined in paragraph 2.2.
- 1.3 The passports specified in this Communication shall meet the criteria of validity provided by the national legislation of the Parties.
- 1.4 Paragraphs 1.1 and 1.2 of this Communication shall apply to persons travelling for tourism and business purposes only. For the purposes of this Communication, tourism and business purposes shall mean:
 - Touristic activities;
 - Visiting relatives;

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- Prospection of commercial opportunities, attending meetings, signing contracts and financial, management and administrative activities;
 - Attending meetings, conferences, seminars provided that no remuneration is received from respective Swiss/Brazilian sources for those activities (other than the cost of stay directly or via a daily income);
 - Participation in sports competitions and artistic contests, provided that the participants do not receive any remuneration from respective Swiss/Brazilian sources, even if they compete for prizes, including prizes with money reward;
 - Other purposes which are permitted by tourism or business type visas in accordance with the national legislations of the Parties.
- 1.5 Paragraphs 1.1 and 1.2 of this Communication do not apply to persons travelling for the purpose of carrying out a gainful activity. For this category of persons, the Parties may respectively decide on the visa requirement for each other's nationals in accordance with their respective national legislation.
- 1.6 The visa waiver provided by this Communication shall apply without prejudice to the legislation of the Parties relating to the conditions of entry and short stay. The Parties reserve the right to refuse entry into and short stay in their respective territories if one or more of these conditions are not met.
- 1.7 The nationals of the Parties benefitting from this Communication shall comply with the national legislation in force in the territory of the other Party during their stay.
- 1.8 Nationals of either Party may enter, transit through and leave the territory of the other Party at all border-crossing points open to international passenger traffic.
- 2.1 The nationals of Switzerland may stay in the territory of Brazil for a maximum period of 90 days in any 180-day period following the date of first entry into the territory of Brazil.
- 2.2 The nationals of Brazil may stay in the territory of Switzerland for a maximum period of 90 days in any 180-day period. When entering the territory of Switzerland after having transited through the territory of one or more States which fully apply the provisions of the Schengen Acquis concerning border crossing and visa, the date of the crossing of the external border limiting the area formed by the aforesaid States shall be considered as the first day of stay (not exceeding 90 days) in this area and the date of exit shall be considered as the last day of stay in this area.
- 2.3 The period of 90 days in any 180-day period as mentioned in paragraphs 2.1 and 2.2 shall be calculated either on the basis of one continuous visit or of several consecutive visits, the duration of which may not exceed 90 days in any 180-day period in total.
3. Representatives of the Parties shall meet whenever necessary at the request of one of the Parties to discuss the implementation and application of the measures contained in this Communication, and if deemed necessary, propose amendments to said measures.
4. The implementation of the measures contained in this Communication shall be without prejudice to the rights, obligations and responsibilities of the Parties arising from International Law.
- 5.1 The competent authorities of the Parties shall exchange through diplomatic channels personalized specimens of their respective valid ordinary passports no later than 30 days from the date of entry into force of the measures contained in this Communication.
- 5.2 In case of introduction of new ordinary passports or modification of the existing ones, the Parties shall convey to each other, through diplomatic channels, personalized specimens of these new or modified passports, accompanied by detailed information on their applicability, not later than 30 days prior to their introduction date.

6. In case either or both the Agreement of 8 November 2010 between the European Union and the Federative Republic of Brazil on short-stay visa waiver for holders of ordinary passports and/or the Agreement of 26 October 2004 between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen Acquis are terminated, suspended or amended in accordance with the relevant provisions of those Agreements, the Parties shall jointly take the necessary steps to ensure full compatibility between their obligations arising from the measures contained in this Communication and their obligations arising from those Agreements.
7. The measures contained in this Communication shall be valid for an indefinite period of time, unless they are terminated by one Party in accordance with paragraph 6 by giving written notice to the other Party. The measures contained in this Communication shall cease to be in force ninety (90) days after the date of such notification.
8. The measures contained in this Communication may be amended by written agreement of the Parties in accordance with paragraph 6. Amendments shall enter into force 30 days after the Parties have notified each other of the completion of their internal procedures necessary for this purpose.
9. Each Party may suspend the measures contained in this Communication in whole or in part in accordance with paragraph 6. The decision on suspension shall be notified to the other Party no later than two months before its entry into force. The Party that has suspended the application of the measures contained in this Communication shall immediately inform the other Party once the reasons for suspension no longer exist.
10. The measures contained in this Communication shall enter into force 30 days from the receipt of the Communication by which the Government of the Federative Republic of Brazil confirms that it agrees with the said measures.

I have the honour to propose that this Communication and Your Excellency's confirmation Communication shall constitute a reciprocal understanding for the establishment of a visa waiver for the nationals of both Parties.

This Communication is presented to Your Excellency in the French, Portuguese and English languages, each text being equally authentic. In case of divergence in the interpretation of this Communication, the English version shall be used.

Please accept, Your Excellency, the assurances of my highest consideration and esteem.



Yves Rossier

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N° 4

Bern, April, 21, 2015

His Excellency
Mr. Yves Rossier
State Secretary
Federal Department of Foreign Affairs FDFA
Federal Palace West
CH-3003 Bern
Switzerland

Short-stay visa waiver for holders of ordinary passports

Your Excellency,

I have the honour to acknowledge receipt of your signed Communication of April 21, 2015, proposing that, with a view to further developing friendly relations between our two countries, safeguarding the principle of reciprocity and facilitating travel for our respective nationals, the Government of the Federative Republic of Brazil (Brazil) and the Government of the Swiss Confederation (Switzerland) (hereinafter jointly referred to as the “Parties” or separately as the “Party”) adopt, on a reciprocal basis, the following measures on the issue of short-stay visa waiver for the nationals of Switzerland when travelling to the territory of Brazil and for the nationals of Brazil when travelling to the territory of Switzerland, for tourism and business purposes only, for a maximum period of ninety (90) days in any one hundred and eighty (180) day period:

- “1.1 The nationals of Switzerland holding a valid ordinary passport issued by Switzerland may enter and stay without a visa in the territory of Brazil for the period of stay as defined in paragraph 2.1.
- 1.2 The nationals of Brazil holding a valid ordinary passport issued by Brazil may enter and stay without a visa in the territory of Switzerland for the period of stay as defined in paragraph 2.2.
- 1.3 The passports specified in this Communication shall meet the criteria of validity provided by the national legislation of the Parties.