

No. 22855

**BRAZIL
and
BOLIVIA**

Agreement concerning the Cachuela Esperanza hydroelectric plant, supplementary to the Agreement on economic and technical co-operation between the Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia. Signed at Santa Cruz de la Sierra, Bolivia, on 8 February 1984-

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 2 April 1984.

**BRÉSIL
et
BOLIVIE**

Accord relatif à la centrale hydroélectrique de Cachuela Esperanza, complétant l'Accord de coopération économique et technique conclu entre le Gouvernement de la République fédérative du Brésil et le Gouvernement de la République de Bolivie. Signé à Santa Cruz de la Sierra (Bolivie) le 8 février 1984

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 2 avril 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING THE CACHUELA ESPERANZA HYDROELECTRIC PLANT, SUPPLEMENTARY TO THE AGREEMENT ON ECONOMIC AND TECHNICAL CO-OPERATION² BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE REPUBLIC OF BOLIVIA

The Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia,

Desiring to strengthen economic and commercial co-operation and to organize trade between the two countries, and in accordance with paragraphs 21 and 22 of the Joint Communiqué signed (by the two Governments) on the occasion of the visit by Foreign Minister José Ortiz Mercado to Brazil on 18 October 1983;

Taking into account the fact that the Bolivian Government and Parliament have declared that priority should be given to the Cachuela Esperanza Hydroelectric Project, which is essential to the development of the departments of Beni and Pando (in Bolivia);

Aware of the Bolivian decision, set forth in a specific act of the Republic, to start work on this project during the present year, 1984;

Have agreed as follows:

Article I. The Parties shall by agreement supervise the execution of the Cachuela Esperanza Hydroelectric Project. The Government of Bolivia hereby designates the National Electric Company (ENDE) to manage the project. ENDE shall supervise the construction of the project, which shall be carried out by a specialized Brazilian company.

Article II. The Brazilian Government, taking note of the contacts maintained between the Brazilian company "HIDROSERVICE-Engenharia de Projetos Ltda." and the National Electricity Company (ENDE), shall make available to the Bolivian company the relevant certificates in respect of services rendered by "HIDROSERVICE" to organs of the Brazilian Government, with a view to establishing that the said company has the technical, administrative and financial capacity to develop hydroelectric projects.

Article III. The Brazilian Government, through the Foreign Trade Portfolio (CACEX) of the Bank of Brazil, S.A., has agreed to finance the consulting work, feasibility study, final design and supervision of the Cachuela Esperanza Hydroelectric Project works, up to an amount of \$US 5 million, observing the criteria applicable to this kind of financing. Such financing shall not be used to cover local costs and its amount shall be deducted from the amount agreed to in the Agreement Supplementary to the Agreement on Economic and Technical Co-operation between the Governments of the Federative Republic of Brazil and of the Republic of Bolivia.

¹ Came into force on 8 February 1984 by signature.

² United Nations, *Treaty Series*, vol. 831, p. 121.

Article IV. In conformity with the guidelines and specifications to be adopted and still within the framework of the present Agreement, the companies mentioned above shall agree on the conditions and amounts for the overall execution of the project, including construction, equipment and services.

Article V. This Supplementary Agreement shall remain in force until all stages of the Cachuela Esperanza Hydroelectric Project are complete, unless one of the Parties gives the other at least six months' advance notice in writing, through the diplomatic channel, that it intends to terminate the Agreement.

Article VI. This Agreement may be amended by an exchange of notes, on the basis of understandings between the Contracting Parties. Such amendments shall enter into force on the date of receipt of the note in reply.

DONE at Santa Cruz de la Sierra on 8 February 1984, in two original copies in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic
of Brazil:

[Signed]

RAMIRO SARAIVA GUERREIRO

For the Government
of the Republic of Bolivia:

[Signed]

JOSÉ ORTIZ MERCADO