

N° 2299.

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**BRÉSIL ET COLOMBIE**

Traité relatif à la délimitation de la  
frontière et à la navigation fluviale.  
Signé à Rio-de-Janeiro, le 15 no-  
vembre 1928.

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**BRAZIL AND COLOMBIA**

Treaty regarding Frontier Delimi-  
tation and Inland Navigation.  
Signed at Rio de Janeiro, Novem-  
ber 15, 1928.

<sup>1</sup> TRANSLATION.

No. 2299. — TREATY BETWEEN BRAZIL AND COLOMBIA REGARDING FRONTIER DELIMITATION AND INLAND NAVIGATION. SIGNED AT RIO DE JANEIRO, NOVEMBER 15, 1928.

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THE REPUBLIC OF COLOMBIA and THE REPUBLIC OF THE UNITED STATES OF BRAZIL, being desirous of strengthening the cordial ties of friendship existing between them,

Whereas in virtue of the frontier Treaty between Colombia and Peru, signed at Lima on March 24, 1922, the ratifications of which were exchanged at Bogotá on March 19, 1928, Colombia was recognised as the only country contiguous to Brazil between the rivers Apaporis and Amazon ;

And whereas the Act signed at Washington on March 4, 1925, by the Colombian and Brazilian representatives, together with the Peruvian representative and the Secretary of State of the United States of America, makes it an obligation for the Colombian and Brazilian Governments to sign a treaty in accordance with the terms of that Act,

Have resolved to conclude the Treaty in question, which completes the fixing of the common frontier southwards from the mouth of the Apaporis, establishes rules for the purpose of facilitating inland navigation between the two countries, and confirms and guarantees each country's right to such free navigation in perpetuity ;

And for that purpose they have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA :

Señor Laureano GARCÍA ORTIZ, Envoy Extraordinary and Minister Plenipotentiary of Colombia in Brazil ;

THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL :

Senhor Octavio MANGABEIRA, Minister for Foreign Affairs ;

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

*Article I.*

The frontier between Colombia and Brazil, from the confluence of the river Apaporis with the Yapurá or Caquetá, which marks the termination of the line specified in the Treaty of April 24, 1907, shall be a straight line starting from the said confluence and continuing as far as the Brazilian town of Tabatinga on the left bank of the River Amazon.

*Article II.*

A Joint Commission, appointed by the two Governments, shall proceed, within two years after the exchange of the ratifications of the present Treaty, to mark out, by means of permanent posts, both the frontier fixed in the aforesaid Frontier Treaty of 1907, between Colombia and Brazil, and that defined in this Treaty.

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<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

At places where there are no adequate natural boundaries, such as watercourses or mountain ranges, which constitute the frontier, the Boundary Commission shall mark the frontier by means of stone or cement posts, columns or other permanent landmarks, in such a way that the exact boundary line may be found at any time.

*Article III.*

The expenses arising out of the work of frontier demarcation, except the remuneration of the members of the two delegations on the Boundary Commission, which shall be paid by their respective Governments, shall be borne by the two Governments in equal shares.

*Article IV.*

In order to facilitate the Joint Commission's work, the two High Contracting Parties shall authorise it to make any investigations which it may consider expedient, as well as any alterations and mutual concessions in the boundary line which may be required to enable the frontier to be fixed clearly and permanently, or may be recognised by the two delegations on the Commission as obviously advantageous to both countries.

*Article V.*

The Republic of Colombia and the United States of Brazil shall grant each other in perpetuity the right of free navigation on the rivers Amazon, Yapurá or Caquetá, Izá or Putumayo, and all the tributaries and confluents of those rivers, vessels, their crews and passengers being merely subject to the fiscal and river police laws and regulations, which shall in every case be the same for Colombians and Brazilians, and shall be designed to facilitate the navigation and trade of both countries.

*Paragraph I.* — No dues or other charges on shipping shall be established save by the common consent of the two Contracting Parties.

*Paragraph II.* — It is understood and expressly declared that the said navigation does not include navigation from port to port of the same country, or "coastwise" navigation (*cabotage*), which shall continue to be subject in each of the two countries to that country's own laws.

*Article VI.*

Colombian warships and military transports shall be free to navigate the waters of the common rivers under Brazilian jurisdiction. Similarly, Brazilian warships and military transports shall be free to navigate the waters of the common rivers under Colombian jurisdiction.

*Paragraph I.* — This concession is, however, subject to the obligation upon each country to notify the other in advance of the number and type of warships or transports to be granted this privilege.

*Paragraph II.* — Warships or military transports carrying merchandise shall be subject to the fiscal and police regulations in force in the country of transit.

*Article VII.*

The present Treaty, after it has been approved in accordance with the laws of the respective countries, shall be ratified by the High Contracting Parties, and the ratifications shall be exchanged at Bogotá or Rio de Janeiro as soon as possible.

In faith whereof we, the above-named Plenipotentiaries, have signed the present Treaty in two copies, each in the Spanish and Portuguese languages, and have thereto affixed our seals.

Done in the city of Rio de Janeiro, on the fifteenth day of November, one thousand nine hundred and twenty-eight.

(L. S.) Laureano GARCÍA ORTIZ.

(L. S.) Octavio MANGABEIRA.