

**DEPARTMENT OF COOPERATION AND OF BRAZILIAN COMMUNITIES
ABROAD**

DEPARTMENT OF BRAZILIAN COMMUNITIES ABROAD

INTERNATIONAL AGREEMENTS DIVISION (ID894597-0)

BRAZIL/BOLIVIA

La Paz, August 15, 2005.

Nº. 88/2005.

**To His Excellence
Armando Loaiza Mariaca
Minister of Foreign Affairs and Culture
Republic of Bolivia**

Mr. Minister,

I have the honor to inform Your Excellence that the Federal Government of the Republic of Brazil wishes to conclude a Migration Regulation Agreement with the Government of Bolivia.

The objective of the Agreement is to promote the socio-economic integration of national citizens of both countries that are living under irregular migration status in the territories of the respective countries, and based on the interest to strengthen the existing friendly relationship. We acknowledge the necessity to take the adequate steps in relation to the conditions of immigrants of both countries, effectively promoting their integration in the society of the receptor country, and to create a system for the control of immigrants.

Therefore, the spirit of the Agreement resides in the exchange of relevant information, in order to create a Consular Cooperation Group as agreed by our governments on May 14, 1986.

Therefore, I propose to you the following Agreement:

1. Definitions

In order to achieve the present Agreement the following terms will be used:

- Territory: area under the sovereignty and jurisdiction of the Parties.**
- National: Individual in possession of the nationality of one of the Parties, conforming to constitutional norms.**
- Registration: registration of citizens who have entered and are live in the territory of the other Party until the date of the signature of this Agreement.**

- **Irregular immigrant: citizen of one of the Parties who lives in the territory of the other Party in an irregular situation; and,**
- **Permanency: authorization granted to a citizen of one of the Parties to remain in the territory of the other Party.**

1. Scope of the Agreement

- i. The citizens of one of the Parties who have entered the territory of the other Party until the date of this Agreement, and have remained in an irregular immigration situation, may apply to register and be granted residency under the terms of the following paragraphs.**
- ii. The enforcement of this Agreement extends to family members who are present in the territory of the receptor Party until the date of the signature of this Agreement.**

2. Registration and Permanency

- i. The applicant shall make the application for registration to the competent authorities within 180 (one hundred and eighty) days after the signature of this Agreement, which may be extended by an equal period due to force majeure , or other motive, duly justified by any of the Parties.**
- ii. Upon registration, the applicant will request a permanency permit, under the terms of the legislation of each Party, resulting in the issue of a permanency protocol valid for 180 (one hundred and eighty) days and which may be extended, if needed. With the request the applicant shall present the following documents:**
 - a) passport or identity card (original and copy);**
 - b) in the case of family dependents, marriage certificate or birth certificate (original and copy or certified copy):**
 - c) criminal and police records (originals) issued by the authorized authority in the country of origin.**
 - d) a signed declaration, according to the law, that he/she is not under any current criminal investigation and that he/she has not been convicted in the receptor country, in his/her country of origin or in any third country;**
 - e) proof of means of sustenance in the receptor Party (original);**
 - f) proof of entry in the country before the date of signature of this Agreement, in conformity with the contents of paragraph 12 of the Agreement;**

- g) proof of tax payments;**
- h) two recent and colored photographs;**

iii. proof of payment of fine resulting from irregular permanency, according to the national legislation of the Parties, which should be presented not later than 90 (ninety) days after the request application as stated in number “i” of this paragraph.

3. Sanctions

The Registration or the Permanency authorization will be declared void if at any time any of the information presented by the applicant has been proven to be false, leading to immediate deportation or persecution by the law.

4. Denial of Permanency

If any of the Parties decides to deport a citizen of the other Party, the diplomatic Representation of the other Party will provide its citizen with travel documents.

5. Acknowledged Rights

i. The Parties will adopt the necessary measures to instruct the relevant institutions in the application of this Agreement, aiming at the removal of any hindrances to the propagation of the rights recognized by this Agreement to the citizens of the Parties.

ii. The immigrants regularized under the contents of this Agreement will enjoy the same rights and be subjected to the same obligations in relation to labor laws that apply to workers of the receptor State, and will enjoy the same protection in what refers to the application of laws relating to hygiene and security at work.

iii. The present Agreement will be enforced without any detriment to other bilateral or multilateral agreements in force between the Parties and which may be more favorable to the interests of the immigrants.

6. Exceptions to the Agreement

i. The present Agreement does not apply to citizens of any of the Parties, deported or subject to deportation, or those deemed dangerous or considered undesirable in accordance with the national law of the receptor Party.

ii. This Agreement cannot be claimed when the applicant presents a risk to public order, to public health or to the national security of the receptor Party.

7. Honoring of Law

i. The citizens of both Parties, to whom the present Agreement applies, will not be exempted of the

obligation to follow laws and regulations of the receptor Party.

- ii. The Parties shall, as soon as possible, inform each other through diplomatic means regarding any changes in their migration laws and regulations.

8. Spread of Information

Each Party will adopt the necessary measures to spread the information and implications resulting from this Agreement.

9. Temporary Suspension

Any of the Parties to this Agreement may, due to national security, public order or public health, temporarily suspend the application of this Agreement in its entirety or part. The other Party shall be notified of the suspension by diplomatic means with the utmost brevity.

10. Enforcement and Cancellation

- i. This Agreement will be enforced for a period of 12 (twelve) months and may be changed if the Parties so wish. Modifications shall be agreed through diplomatic means.
- ii. Any of the Parties may cancel this Agreement through diplomatic means. The cancellation will be effective 90 (ninety) days after the reception of the Note of cancellation without any harm to ongoing requests.
- iii. Any of the Parties may convene “ad hoc” meetings in order to minimize doubts and to examine problems referred to the application of the present Agreement.

11. Final Point

As a means to anticipated results, on line “f” of number “ii” of paragraph 3 of the present Agreement, the following documents may serve as proof of entry into the territory of the Parties, until the date of signature of the Agreement:

- i. Entry stamp on passport; or
- ii. Entry or exit card; or
- iii. Proof of payment of rent, electricity, water, telephone, tuition or school enrollment; or
- iv. Receipt or equivalent document of purchase of any goods or real estate; or
- v. Proof of medication by any health professional or affidavit or vaccination card; or
- vi. Any other document that may prove the permanency in the territory of the receptor Party.

Should the present Agreement be found acceptable to the Government of Bolivia, this official Note and the one from Your Excellence stating

your agreement, will constitute an Agreement between our Governments on the subject, which will enter into effect 30 (thirty) days after the present date.

I take this opportunity to once again express my deepest consideration.

**CELSO AMORIN
Minister of Foreign Affairs**

La Paz, August 15, 2005

**GM-244/2005
To His Excellence
Celso Luiz Nunes Amorin
Minister of Foreign Affairs
Of the Federal Republic of Brazil**

Your Excellence Mr. Minister,

I have the honor to acknowledge the reception of your official Note nr. 88, dated August 15, 2005, which you forwarded to me and whose contents are as follows:

“I have the honor to inform Your Excellence that the Federal Government of the Republic of Brazil wishes to conclude a Migration Regulation Agreement with the Government of Bolivia.

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 - iv. a signed declaration, according to the law, that he/she is not under any current criminal investigation and that he/she has not been convicted in the receptor country, in his/her country of origin or in any third country;

- v. proof of means of sustenance in the receptor Party (original);
 - vi. proof of entry in the country before the date of signature of this Agreement, in conformity with the contents of paragraph 12 of the Agreement;
 - vii. proof of tax payments;
 - viii. two recent and colored photographs;
- c. proof of payment of fine resulting from irregular permanency, according to the national legislation of the Parties, which should be presented not later than 90 (ninety) days after the request application as stated in number “i” of this paragraph.

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- i. Entry stamp on passport; or**
- ii. Entry or exit card; or**
- iii. Proof of payment of rent, electricity, water, telephone, tuition or school enrollment; or**
- iv. Receipt or equivalent document of purchase of any goods or real estate; or**
- v. Proof of medication by any health professional or affidavit or vaccination card; or**
- vi. Any other document that may prove the permanency in the territory of the receptor Party.**

Should the present Agreement be found acceptable to the Government of Bolivia, this official Note and the one from Your Excellence stating your agreement, will constitute an Agreement between our Governments on the subject, which will enter into effect 30 (thirty) days after the present date.

I take this opportunity to once again express my deepest consideration.

**CELSO AMORIN
Minister of Foreign Affairs”**

In this respect, I have the pleasure to communicate to Your Excellence, the accordance of the Government of the Republic of Bolivia, so that the text of your official Note and the present official Note of response, constitute an Agreement between our Governments, which will enter into effect 30 (thirty) days from the date of the present official Note.

I take this opportunity to renew to Your Excellence my utmost consideration.

**ARMANDO LOAIZA MARIACA
Minister of Foreign Affairs and Culture**

Published in DOU nr. 179 of 16/09/2005, Section 1 page 67.