



**MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF FOREIGN
EXTERIOR OF THE FEDERAL REPUBLIC OF BRAZIL AND MINISTRY
IMMIGRATION, INTEGRATION, AND NATIONAL IDENTITY
DEVELOPMENT OF FRENCH REPUBLIC IN SOLIDARITY
FOR THE MECHANISM OF BILATERAL
CONSULTATIONS ON MIGRATION**

The Ministry of External Relations of the Federative Republic of Brazil

and

The Ministry of Immigration, Integration, National Identity and

Development Solidarity of the French Republic

(Hereinafter "the Parties"),

Considering the historical populations of friendship and cooperation between Brazil and France.

Encouraged by the excellent bilateral relations at all levels;

In accordance with the rights and guarantees provided by the respective laws of their countries and the relevant international treaties and conventions;

Convinced that migration contribute to the rapprochement between peoples and which may be economic, social and cultural development for their countries and populations factor, especially because of their common border along the river Oyapock;

Considering the accumulated knowledge and experiences acquired by the two States on the movement of their respective diasporas and bilateral migration issues;

Aware of the need for bilateral mechanism for information exchange and coordination in the areas of application of this Memorandum and to address specific issues and emergency situations related to the movement of people between the two states;

Highlighting the need to develop legal instruments of cooperation in migration issues;

Whereas the Agreement between the Government of the Federative Republic of Brazil and the Government of the French Republic on Abolition of Visas, signed in Paris on May 28, 1996;

Considering the signing of the Agreement Area in the Fight Against the Illegal Exploitation of Protected Areas in Gold or Equity Interest in Rio de Janeiro, on 23 December 2008;

In accordance with the Plan of Action for the Implementation of the Strategic Partnership between the Government of the Federative Republic of Brazil and the Government of the French Republic, signed in Rio de Janeiro, on 23 December 2008;

Based on the decisions taken at the Fourth Meeting of the Border Commission held in Cayenne on June 12, 2008, which provided for the opening of the channel structured dialogue between the two parties to the deal of migration issues, as well as the establishment of united "hotline "between Brazil and France for use in emergency situations related to the movement of people; and

Whereas the Additional Protocol to the Partnership and Cooperation Agreement signed this date September 7, 2009 between the Government of the Federative Republic of Brazil and the French Republic for the creation of a Centre for Police Cooperation on the border between Brazil and French Guiana,

Reached the following understanding:

Article I

Creation of Bilateral Consultation Mechanism

The Parties agree to establish a bilateral consultation mechanism on migration issues, particularly those related to the movement of people. The consultation mechanism will be operated by a Working Group, which will ensure regular dialogue and exchange of information between the parties.

Article II

Objectives

The objectives of the scheme are:

- 1 - analyze the evolution of migration flows between the two states;
- 2 - exchange information on their immigration policies and developments in the subject area;
- 3 - examine any questions of migratory nature that may be submitted by either party and serve as referral of such issues to the competent national authorities in the field channel;
- 4 - exchange and disseminate information and coordinate actions aimed to promote regular migration and report on the risks of irregular migration, performing, when appropriate, awareness campaigns and joint seminars on the subject;
- 5 - discuss proposals for integrated actions or collaboration in projects of interest of a State in the territory of another State;

6 - provide migratory and bilateral police cooperation, especially through exchange of good practices and occasional visits by the two states, either in airports greater migration of the two countries, whether in immigration control points of the common border;

7 - exchange information on use of new technologies in the areas of customer service and consular assistance, issuing travel documents and immigration controls; and

8 - enjoy the experience at the Centre for Police Cooperation at the border between the two States to explore possibilities of cooperation in combating transnational crimes linked to trafficking in migrants.

Article III

Composition of the Working Group and frequency of meetings

1.The Working Group mentioned in Article I once a year, will meet alternately in the territory of one or another state and, in addition, upon request of either party.

2.The Working Group will be chaired jointly by a representative of each Party.

3.Além the representatives of the Parties, the Working Group may include representatives from other ministries and government agencies involved in agenda items to be addressed.

Article IV

Points of direct contact

For emergencies related to the movement of persons, with a view to immediate communication between the competent authorities of Brazil and France, the Parties shall identify direct contact points between the consulates of Brazil in France, and particularly in French Guiana and France in Brazil, and their respective immigration authorities. To this end, the Parties shall report through official channels the designated points of contact, in addition to its data, including phone numbers.

Article V

Final provisions

1.This Memorandum of Understanding shall enter into force upon signature and shall remain valid indefinitely.

2.The This Memorandum of Understanding may be amended at any time by mutual consent of the Parties.

3.Any party may at any time notify the other of its intention to terminate this Memorandum of Understanding. Denunciation shall take effect three (3) months after the date of the notification.

4.Quaisquer disputes concerning the interpretation or application of this instrument shall be resolved by agreement between the Parties, within the Working Group mentioned in Article 1 or, if necessary, through diplomatic channels.

Made in Brasilia on September 7, 2009, in two originals, in Portuguese and French languages, both texts being equally authentic.

BY THE MINISTRY OF FOREIGN
EXTERIOR OF THE REPUBLIC

MINISTRY OF IMMIGRATION, THE
INTEGRATION, THE IDENTITY

OF BRAZIL

NATIONAL AND DEVELOPMENT

SOLIDARITY OF THE FRENCH REPUBLIC

Celso Amorim

Minister

Eric Besson

Minister