



963

Treaty Series No. 14 (1929)

Treaty and Convention
BETWEEN HIS MAJESTY
AND THE PRESIDENT OF THE
BRAZILIAN REPUBLIC
for the settlement of the
Boundary between British Guiana
and Brazil

London, April 22, 1926

[Ratifications exchanged at London, April 16, 1929]

Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty

LONDON:

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Treaty and Convention between His Majesty and the President of the Brazilian Republic for the Settlement of the Boundary between British Guiana and Brazil.

London, April 22, 1926.

[Ratifications exchanged at London, April 16, 1929.]

(1.) TREATY.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the Republic of the United States of Brazil, desiring that the various frontier lines between the United States of Brazil and British Guiana shall be clearly described and properly demarcated, have decided to conclude a general boundary treaty, and for this purpose have appointed the following as their Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

The Right Honourable Sir Austen Chamberlain, K.G., M.P., His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the United States of Brazil :

His Excellency Senhor Raul Regis de Oliveira, Ambassador Extraordinary and Plenipotentiary of the United States of Brazil at London ;

Who, having communicated to each other their full powers, found in good and due form,

O PRESIDENTE da Republica dos Estados Unidos do Brasil e Sua Majestade o Rei do Reino Unido da Grã Bretanha e Irlanda e dos Dominios Britannicos do Ultra-mar, Imperador da India, desejando que fiquem descriptos com clareza e convenientemente demarcadas as diferentes linhas de fronteira entre os Estados Unidos do Brasil e a Guyana Britannica, resolveram fazer um Tratado Geral de Limites, e para esse fim nomearam Plenipotenciarios, a saber :

O Presidente da Republica dos Estados Unidos do Brasil :

O Senhor Raul Regis de Oliveira, Embaixador Extraordinario e Plenipotenciario dos Estados Unidos do Brasil em Londres ; e

Sua Majestade o Rei do Reino Unido da Grã Bretanha e Irlanda e dos Dominios Britannicos do Ultra-mar, Imperador da India :

The Right Honourable Sir Austen Chamberlain, K.G., M.P., Secretario de Estado dos Negocios Estrangeiros ;

Os quaes, depois de se haverem communicado os seus plenos poderes, achados em bõa e devida

have agreed upon the following articles:—

fórma, convieram nos artigos seguintes:

ARTICLE 1.

ARTIGO 1.

The frontier between the United States of Brazil and British Guiana shall be finally fixed as follows in virtue of earlier instruments:

A fronteira entre os Estados Unidos do Brasil e a Guyana Britannica acha-se assim definitivamente estabelecida, em virtude de Actos anteriores:

1. Commencing from the heights of the Roraima mountains, between the head-waters of the River Cotingo (Kwating) and those of the Arapopo (Arabopo)—in so far as the nature of the ground or the locality permits of these sources being explored or located—from the point of convergence of the frontier of the two countries with that of the Republic of the United States of Venezuela, it shall descend by the north-eastern part of the said mountains, passing between the Paikwa Fall to the north and the Cotingo (Kwating) Falls to the south; and it shall continue as far as Mount Yakontipú, along the watershed between the River Cotingo, which flows in Brazilian territory, and the River Paikwa, which flows in British territory (Convention between Brazil and Great Britain of the 22nd April, 1926).*

1.º Partindo do alto dos montes Roraima, entre as cabeceiras do Cotingo (Kwating) e as do Arapopo (Arabopo), tanto quanto a natureza do terreno ou do lugar permitta a exploração ou localização destas nascentes,—do ponto de convergencia da fronteira dos dois paizes com a da Republica dos Estados Unidos de Venezuela, desce pela parte nordéste dos mesmos montes, passando entre o Salto Paikwa (Paikwa Fall), ao norte, e as quédas do Cotingo (Kwating Falls), ao sul; e continúa até o monte Yakontipú, pela linha divisoria das aguas entre o rio Cotingo, o qual corre em territorio brasileiro, e o rio Paikwa, que corre em territorio britannico (Convenção entre o Brasil e a Grã Bretanha de 22 de Abril de 1926).

2. From Mount Yakontipú the frontier shall continue in an easterly direction along the watershed as far as the source of the River Mahú or Ireng; it shall follow the downward course of this river as far as its confluence with the Tacutú; and follow the upward course of the Tacutú to its source situated, not on Mount Vindaua, as was supposed, but on Mount Wamuriaktawa, about three miles above, towards the north-east, in the same chain (arbitral decision given at Rome on the 6th June,

2.º Do monte Yakontipú, a fronteira segue na direcção de léste pela linha divisoria das aguas até a nascente do rio Mahú ou Ireng; desce por este rio até a sua confluencia com o Tacutú; e sobe pelo Tacutú até a sua nascente, situada não no monte Vindaua, como se suppunha, mas sim no monte Wamuriaktawa, que fica cêrca de tres milhas acima, para o nordéste, na mesma serra (Decisão arbitral dada em Roma, a 6 de Junho de 1904, e mappa annexo á mesma Decisão; e Con-

* (2) *infra*.

(2.) CONVENTION.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the Republic of the United States of Brazil, with the object of completing the determination of the frontiers between their respective territories, already fixed as regards almost their entire length by the declaration annexed to the Treaty of London of the 6th November, 1901,* and by the Rome Award of the 6th June, 1904,† and deeming it necessary to rectify certain inaccuracies in that award, have decided to conclude a special complementary boundary convention, and to that end have appointed the following as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Sir Austen Chamberlain, K.G., M.P., His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the United States of Brazil:

His Excellency Senhor Raul Regis de Oliveira, Ambassador Extraordinary and Plenipotentiary of the United States of Brazil at London;

Who, having communicated to

O PRESIDENTE da Republica dos Estados Unidos do Brasil e Sua Magestade o Rei do Reino Unido da Grã Britanha e Irlanda e dos Dominios Britannicos do Ultra-mar, Imperador da India, no intuito de completarem a determinação das fronteiras entre os seus respectivos territorios, já feita em quasi toda a extensão dos mesmos, pela Declaração annexa ao Tratado de Londres de 6 de Novembro de 1901 e pelo Laudo de Roma, de 6 de Junho de 1904, e julgando necessario rectificar algumas inexactidões do mesmo Laudo, resolveram fazer uma Convenção especial e complementar de limites; e, para esse fim, nomearam Plenipotenciarios, a saber:

O Presidente da Republica dos Estados Unidos do Brasil:

O Senhor Raul Regis de Oliveira, Embaixador Extraordinario e Plenipotenciario dos Estados Unidos do Brasil em Londres; e

Sua Magestade o Rei do Reino Unido da Grã Bretanha e Irlanda e dos Dominios Britannicos do Ultra-mar, Imperador da India:

The Right Honourable Sir Austen Chamberlain, K.G., M.P., Secretario de Estado dos Negocios Extrangeiros;

Os quaes, depois de se haverem communicado os seus plenos pode-

* Ca. 916.

† Ca. 2166.

found in good and due form, agreed upon the following articles:—

ARTICLE 1.

From Mount Yakontipú westwards, as far as the Roraima chain, the frontier between the United States of Brazil and British Guiana shall follow the watershed between the River Cotingo (Kwating), flowing in Brazilian territory, and the River Paikwa, flowing in British territory. Ascending the Roraima mountains, the frontier shall pass between the Paikwa Fall, to the north, and the falls of the Cotingo (Kwating Falls), to the south, and, leaving the sources of the Cotingo on the side of Brazil, shall end where Venezuelan territory commences, between the sources of the Cotingo (Kwating) and those of the Arapopo (Arabopo), on the said Roraima mountains, in so far as the nature of the ground or the locality permits of these sources being explored or located.

ARTICLE 2.

The two High Contracting Parties declare that the source of the River Tacutú, at the end of the boundary line fixed by the arbitral decision of the 6th June, 1904, is situated on Mount Wamuriaktawa and not on Mount Vindaua (Wintawa), as was supposed.

ARTICLE 3.

The present convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties, and the ratifications shall be exchanged at the city of London as soon as possible.

res, achados em bôa e devida fórma, convieram nos artigos seguintes:

ARTIGO 1.

Do monte Yakontipú para o oeste, até a serra Roraima, a fronteira entre os Estados Unidos do Brasil e a Guyana Britannica seguirá pela linha divisória das aguas (watershed) entre o Rio Cotingo (Kwating), que corre em territorio brasileiro, e o rio Paikwa (Paikwa River), o qual corre em territorio britannico. Subindo pelos montes Roraima, passará a fronteira entre a quéda do Paikwa (Paikwa Fall), ao norte, e as quédas do Cotingo (Kwating Falls), ao sul, e, deixando do lado do Brasil as nascentes do Cotingo (Kwating), terminará onde começa o territorio venezuelano, entre as nascentes do Cotingo (Kwating) e as do Arapopo (Arabopo), nos mesmos montes Roraima, tanto quanto a natureza do terreno ou do lugar permitta a exploração ou localização dessas nascentes.

ARTIGO 2.

As duas Altas Partes Contractantes declaram que a nascente do Rio Tacutú, onde termina a linha divisória estabelecida pela decisão arbitral de 6 de Junho de 1904, fica situada no monte Wamuriaktawa e não no monte Vindaua (Wintawa), como se suppunha.

ARTIGO 3.

A presente Convenção será ratificada de accordo com as normas constitucionaes das Altas Partes Contractantes e as ratificações serão trocadas na cidade de Londres, logo que isso seja possível.

In witness whereof the above-named Plenipotentiaries have drawn up the present convention in duplicate, each copy being in the English and Portuguese languages, and have signed the same and affixed their respective seals to both copies.

Done at the city of London, the 22nd day of April, in the year one thousand nine hundred and twenty-six.

Em fé do que, os Plenipotenciarios acima nomeados fizeram lavrar a presente convenção, em dois exemplares, cada um delles escripto nas linguas portugueza e ingleza, e os assignam, appondo em ambos os seus respectivos sellos.

Feito na cidade de Londres, aos 22 dias do mez de Abril, do anno de mil novecentos vinte e seis.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) RAUL RÉGIS DE OLIVEIRA.