

**NATIONAL PARLIAMENT RESOLUTION NO. 16/2010  
of 16 June**

**THAT APPROVES THE CONSULAR COOPERATION AGREEMENT AMONG  
THE MEMBER STATES OF THE COMMUNITY OF PORTUGUESE-  
SPEAKING COUNTRIES**

On proposal of the Government pursuant to article 95.3(f) of the Constitution of the Republic, the National Parliament decides to approve the Consular Cooperation Agreement among the Member States of the Community of Portuguese-Speaking Countries, signed in Lisbon on 22 July 2008, the text of which, in Portuguese version, is attached hereto.

Approved on 27 April 2009.

The Speaker of the National Parliament,

Fernando La Sama de Araújo

For publication. 15.6.10

The President of the Republic,

Dr. José Ramos-Horta

**CONSULAR COOPERATION AGREEMENT AMONG THE MEMBER STATES  
OF THE COMMUNITY OF PORTUGUESE-SPEAKING COUNTRIES**

The Republic of Angola, the Federal Republic of Brazil, the Republic of Cape Verde, the Republic of Guiné-Bissau, the Republic of Mozambique, the Portuguese Republic, the Democratic Republic of S. Tomé and Príncipe and the Democratic Republic of Timor-Leste, hereinafter referred to as the “Parties”:

Considering that one of the objectives of the establishment of the Community of Portuguese-Speaking Countries (CPLP) is to contribute for the strengthening of human ties and solidarity and fraternity among the peoples that share the Portuguese language, the cornerstone of their identity;

Considering the common interest to benefit from consular cooperation as already expressed in the various international conventions on the matter currently in force among the Parties;

Conscious of the importance of cooperation in the field of consular protection for the development of their privileged relations and the consolidation of the sentiment of community belonging of their citizens;

Taking into account article 8 of the Convention on Consular Relations, adopted in Vienna on 24 April 1963, which binds the Parties;

Considering the benefits that shall result from the generalization and harmonization of the provisions contained in the international conventions in force in this field for all the nationals of the Parties as well as the benefits their applicability in the CPLP geographical space;

**They agree on the following:**

## **Article 1** **Definitions**

For the purposes of this Agreement:

- a) “Consular Post” shall mean any consulate-general, consulate, vice-consulate or consular agency, honorary consulate, consular service or consular section of diplomatic mission;
- b) “Consular Functionary” shall mean any person, including the Chief of Consular Post, charged in this capacity to exercise consular functions;
- c) “Consular Jurisdiction Area” shall mean the territory assigned to a consular post for the exercise of consular functions.

## **Article 2** **Object**

This Agreement shall establish the conditions under which any of the Parties, according to its possibilities and within the limits of the provisions of this Agreement, shall ensure assistance and consular protection to national

citizens as well as defend the interests of the other Parties in the places where the latter do not possess an accessible consular post or equivalent.

### **Article 3**

#### **Scope**

1. This Agreement shall apply to consular posts of any of the Parties, which shall provide their assistance to consular posts of the other Parties, in compliance with the provisions of the preceding article.
2. The provisions of the preceding article shall apply following an appropriate request or notification and subject to acceptance by the served Party.
3. The provisions of this Agreement shall apply without prejudice to the provisions of other international conventions entered into by the Parties or of other obligations of International Law.

### **Article 4**

#### **Consular registration of nationals from other Parties**

1. Whenever requested, Consular Posts shall promote the consular registration of nationals from other Parties residing in their area of jurisdiction or finding themselves there occasionally.
2. Registrations referred to in the preceding paragraph shall observe the model attached to this Agreement.
3. Consular registrations made pursuant to this Agreement shall be in duplicate, with one of the original copies being retained by the Consular Post concerned, where it shall be part of an autonomous file, and the other forwarded to the competent services of the Party of the nationality of the applicant.

### **Article 5**

#### **Emergency travel document**

1. In case of need, consular posts of each Member State may, after pertinent verification, request the authorities of the other Party to issue

emergency single travel documents for nationals of this Party and valid for returning to the respective territory.

2. The requesting consular post shall subsequently forward the emergency travel document issued by the other Party to the concerned person.

## **Article 6**

### **Rescue and repatriation**

1. Consular agents from each Member State may rescue and, under exceptional circumstances and under the coordination of the competent authorities of the nationality of the interested person, support the repatriation of national citizens from each Party who reside in their area of jurisdiction find themselves there occasionally, against request, and as long as the concerned citizens prove to be temporarily or definitively devoid of resources and with no possibilities to obtain them locally.

2. For the specific purpose of the preceding paragraph, consular agents shall forward the requests to the authorities of the Party of the nationality of the applicant in order to obtain the pertinent authorisations as well as the necessary means for that effect.

## **Article 7**

### **Assistance to vessels, aircraft and crew**

Consular posts of each Party shall provide assistance to vessels and aircraft displaying the flag of the other Party, as well as the respective crew, whenever so requested by the respective captain or commander.

## **Article 8**

### **Consular assistance**

Consular posts from each Party may, in their respective area of jurisdiction and following a request or express of the competent authorities of the other Party, exercise other functions in favour of the citizens of the requesting Party, in accordance with the applicable Law, fall under their attributions.

## **Article 9**

### **Settlement of differences**

Any difference relating to the interpretation or application of this Agreement shall be settled through negotiation by diplomatic way.

### **Article 10 Suspension**

1. Each Party shall reserve the right to temporarily suspend the application of this Agreement by reasons of public order or public security by notifying in writing and via diplomatic means the other Parties and the CPLP Executive Secretariat.

### **Article 11 Revision**

1. This Agreement may be the subject of revisions at the request of any of the Parties.
2. The amendments shall enter into force pursuant to article 14 of this Agreement.

### **Article 12 Validity and recess**

1. This Agreement shall remain in force for a period of ten years and shall be renewable for successive periods of equal duration.
2. Any Party may, at any time, cease to be a Party to this Agreement through notification in writing and via diplomatic means of the intention to recess to the other Parties and to the CPLP Executive Secretariat.

### **Article 13 Depositary**

The Executive Secretariat shall be the depositary of this Agreement.

### **Article 14 Entry into force**

1. This Agreement shall enter into force on the first day of the month immediately after the date on which three (3) Parties have deposited, at the CPLP Headquarters with the Executive Secretariat, the respective instruments of ratification or equivalent documents binding them to the Agreement.

2. For each Party that deposits subsequently the respective instrument of ratification, or an equivalent document binding it to the Agreement, at the CPLP Headquarters with the Executive Secretariat, the Agreement shall enter into force on the first day of the month immediately after the date of the deposit.

Done in Lisbon on 24 July 2008.

For the Republic Angola

For the Federal Republic of Brazil

For the Republic of Cape Verde

For the Republic of Guiné-Bissau

For the Republic of Mozambique

For the Portuguese Republic

For the Democratic Republic of S. Tomé and Príncipe

For the Democratic Republic of Timor-Leste