

Annex 1

NOTE OF CHILE NO. 745/183, ADDRESSED TO THE BOLIVIAN MINISTRY
OF FOREIGN AFFAIRS FROM THE CHILEAN MINISTRY OF FOREIGN AFFAIRS,
8 NOVEMBER 2011

[Translation submitted by Bolivia]

.....
None of the background information mentioned in the letter of 8 July 2011 supports the inference of any recognition of an obligation to negotiate sovereign access to the sea, or of an alleged right to sovereign access to the sea, as the Plurinational State of Bolivia seems to be suggesting.
.....

Annex 2

**MINISTER OF FOREIGN AFFAIRS MORENO RESPONDS TO THE STATEMENT
MADE BY EVO MORALES: “THERE IS NO DISPUTE BETWEEN BOLIVIA
AND CHILE, BUT THERE ARE TREATIES”**

[Translation submitted by Bolivia]

.....
La Tercera — 26 September 2012 — 22:29.
.....

In New York, the Minister of Foreign Affairs told *La Tercera* that “there is no
dispute between Bolivia and Chile, but there are treaties”.
.....

Annex 3

**INSTRUMENT OF RATIFICATION OF THE “PACT OF BOGOTÁ”,
14 APRIL 2011, AND INSTRUMENT OF WITHDRAWAL OF RESERVATION
TO THE “PACT OF BOGOTÁ”, 3 APRIL 2013**

EVO MORALES AYMA,
CONSTITUTIONAL PRESIDENT OF THE PLURINATIONAL STATE OF BOLIVIA

[Translation submitted by Bolivia]

.....
In exercise of the powers conferred upon me by the State Political Constitution,
according to Article 172, subparagraph 5, I issue this *Instrument of Ratification of
the American Treaty on Pacific Settlement “Pact de Bogotá”*.
.....

Done at the Government Palace of the city of La Paz, on April the fourteenth,
two thousand eleven.

Minister of Foreign Affairs.

.....
In exercise of the powers conferred upon me by Article 172, subparagraph 5, of
the Political Constitution of the Plurinational State of Bolivia, I issue this *Instru-
ment of Withdrawal of the Reservation* to the American Treaty of Pacific Settle-
ment — “Pact de Bogotá”, done on 30 April 1948 in the city of Bogotá and ratified
by the Plurinational State of Bolivia by Law No. 103 of 5 April 2011.
.....

Done at the Government Palace of the city of La Paz, on the third day of April
two thousand and thirteen.

Minister of Foreign Affairs.

Annex 4

DECREE NO. 526 OF 21 AUGUST 1967 FROM THE PRESIDENT
OF THE REPUBLIC OF CHILE, PUBLISHED
IN THE *OFFICIAL JOURNAL* NO. 26837 OF 6 SEPTEMBER 1967

LIBRARY OF THE NATIONAL CONGRESS OF CHILE — CHILEAN LEGISLATION

[Translation submitted by Bolivia]

Type of rule:	Decree No. 526
Date of publication:	6 September 1967
Date of enactment:	21 August 1967
Institution:	Ministry of Foreign Affairs
Title:	American Treaty of Pacific Settlement
Version:	Sole version dated: 6 September 1967
Entry into force:	6 September 1967
International entry into force:	6 September 1967
Type of treaty:	Multilateral
Identity No.:	400563
URL:	http://www.leychile.cl/N?i=400563&f=1967-09-06&p=

AMERICAN TREATY ON PACIFIC SETTLEMENT

Santiago, 21 August 1967.

Today the following decree has been issued:

No. 526

Eduardo FREI MONTALVA, President of the Republic of Chile:

.....
Sole article: The American Treaty on Pacific Settlement, also called the Pact of Bogotá, done in this capital city on 30 April 1948, is hereby approved. This Treaty will be ratified by Chile with the following reservation:

.....
Done in my Office and countersigned by the Minister of Foreign Affairs, in the city of Santiago de Chile on 21 August nineteen hundred and sixty-seven.

Eduardo FREI MONTALVA, Gabriel VALDÉS S.

.....

Annex 5

TRUCE PACT BETWEEN BOLIVIA AND CHILE,
4 APRIL 1884

[Translation submitted by Bolivia]

.....

2nd — During the term of this Truce, the Republic of Chile will continue to rule, subject to the political and administrative regime provided for in Chilean law, the territories that lie between parallel twenty-three and the mouth of the Loa River in the Pacific, whereby the eastern boundary of the aforementioned territories is a straight line that starts from Sapalegui, from the intersection with the demarcation that separates them from the Republic of Argentina, up to the Llicancaur volcano. From this point, a straight line will be followed to the summit of the Cabana inactive volcano: from here another straight line will continue up to the spring located further south at Lake Ascotan; and from here another straight line that, crossing the aforementioned lake, ends at the Ollagua volcano. From this point, another straight line to the Tua volcano, continuing after the existing division between the department of Tarapacá and Bolivia.

.....

In witness whereof, the Plenipotentiaries of Bolivia and the Minister of Foreign Affairs of Chile, submitting evidence of their respective powers, hereby cause this Truce Pact to be signed in duplicate, in Valparaíso, on the fourth day of April eighteen hundred and eighty-four.

(Signed) Belisario SALINAS.

(Signed) Belisario BOETO.

(Signed) A. VERGARA ALBANO.

Annex 6

AGREEMENT ON TRANSFER OF TERRITORY BETWEEN BOLIVIA AND CHILE, 18 MAY 1895

[Translation submitted by Bolivia]

.
The Republic of Chile and the Republic of Bolivia, with the purpose of strengthening increasingly closer ties of friendship to unite the two countries, and the agreement that a superior need and the future development and commercial prosperity of Bolivia requires its free and natural access to the sea, have decided to enter into a special Treaty on the transfer of territory for which purpose they have named and appointed their Plenipotentiaries, as follows:
.

I.

If, as a consequence of the plebiscite to be held in conformity with the Treaty of Ancón or by virtue of direct arrangements, the Republic of Chile should acquire permanent dominion and sovereignty over the territories of Tacna and Arica, it undertakes to transfer them to the Republic of Bolivia, in the same form and size in which it has acquired them, without prejudice to the provisions contained in Article II.

As compensation for this transfer of territory, the Republic of Bolivia shall pay the amount of five million silver pesos of twenty-five grams in weight and nine-tenths purity. In order to make this payment, forty per cent of the income of the customs office in Arica will be allocated.

II.

If the cession contemplated in the previous Article takes effect, it is understood that the Republic of Chile would move its northern boundary from Camarones to the Quebrada de Vitor, from the sea up to the boundary currently separating that region from the Republic of Bolivia.
.

IV.

Should the Republic of Chile fail to obtain definitive sovereignty over the area in which the cities of Tacna and Arica are located, either by plebiscite or through direct arrangements, it undertakes to transfer to Bolivia the area from the Caleta de Vitor up to the Quebrada de Camarones or any other similar area, as well as the amount of five million silver pesos of twenty-five grams of weight and nine-tenths pure.

(Signed) Luis BARROS BORGÑO.

(Signed) H. GUTIÉRREZ.

Annex 7

**TREATY OF PEACE AND FRIENDSHIP ENTERED INTO BY THE GOVERNMENT
OF BOLIVIA AND THE GOVERNMENT OF CHILE, 20 OCTOBER 1904**

[Translation submitted by Bolivia]

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Article II

The present Treaty recognizes the absolute and perpetual dominion of Chile over the territories it has occupied by virtue of Article 2 of the Truce Pact of 4 April 1884.

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(Signed) Emilio BELLO C.

(Signed) A. GUTIÉRREZ.

Annex 8

MEMORANDUM FROM THE MINISTER OF FOREIGN AFFAIRS OF BOLIVIA,
DANIEL SÁNCHEZ BUSTAMANTE, 22 APRIL 1910*[Translation submitted by Bolivia]*

The Government of Bolivia cannot pass by the present circumstance without acknowledging the willingness of Chile and Peru to welcome steps aimed at solving the conflict relating to Tacna and Arica.

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Chile and Peru, in accordance with the opinion of many of their distinguished men in public positions, should no longer be neighbouring countries, establishing the territorial sovereignty of Bolivia in an intermediate zone on the Pacific coast. It is not necessary to demonstrate the importance of this significant fact for the politics and stability of the Hispanic-American nations.

Bolivia cannot live isolated from the sea ; today and always, it will do its utmost to the best of its ability, to come to possess at least one convenient port on the Pacific; and it shall never succumb to inaction whenever this matter of Tacna and Arica causes concern, which compromises the very foundations of its existence.

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Annex 9

PROTOCOL (“ACTA PROTOCOLIZADA”) SUBSCRIBED BETWEEN THE FOREIGN
AFFAIRS MINISTER OF BOLIVIA, CARLOS GUTIÉRREZ,
AND THE EXTRAORDINARY ENVOY AND PLENIPOTENTIARY MINISTER
OF THE REPUBLIC OF CHILE, EMILIO BELLO CODESIDO, 10 JANUARY 1920

[Translation submitted by Bolivia]

Assembled in the Ministry of Foreign Affairs of the Republic of Bolivia, Mr. Carlos Gutiérrez, Minister of Foreign Affairs, and Mr. Emilio Bello Codesido, Special Envoy and Plenipotentiary Minister of the Republic of Chile, encouraged by the desire to render the existing ties of friendship between their respective countries more solid and enduring by means of new agreements which foster the further development of their political and commercial relations, referring to the harmony of their interests and reciprocal aspirations, have agreed to initiate these meetings in order to exchange general ideas on how to fulfil these high purposes.

The Minister of Chile stated that, as he had mentioned already to the Minister of Foreign Affairs of Bolivia in accordance with the welcome and honourable mission entrusted to him before this Government, the Government of Chile has the greatest desire to promote a policy of genuine and close relations with Bolivia; to this effect, he reproduces the bases which in general terms were submitted to the Honourable Dario Gutiérrez last September, with the aim of reaching an agreement pursuant to which Bolivia could satisfy its aspiration of obtaining its own access to the Pacific, independently from the final situation established by the dispositions of the Treaty of Peace and Friendship of 20 October 1904.

IV. The situation created by the Treaty of 1904, the interests located in this area and the security of its northern boundary, impose on Chile the need to preserve the coastline which is indispensable for the country; but with the purpose of building, on solid foundations, the future union of both countries, Chile is willing to ensure that Bolivia acquires its own access to the sea, by ceding an important part of that area north of Arica and of the railway line that is located in the territories that are the object of the plebiscite provided for in the Treaty of Ancón.

(Signed) Carlos GUTIÉRREZ.

(Signed) Emilio BELLO C.

Annex 10

**NOTE OF 1 JUNE 1950 FROM THE AMBASSADOR OF BOLIVIA
TO THE MINISTER OF FOREIGN AFFAIRS OF CHILE**

[Translation submitted by Bolivia]

On several occasions and specifically in the Treaty of 18 May 1895, and in the Protocol ("Acta Protocolizada") of 10 January 1920, entered into with Bolivia, although not ratified by the respective legislative powers, the Republic of Chile has accepted the transfer to my country of our own access to the Pacific Ocean.

.....
With this important background information in mind, which clearly shows the direction of the Republic of Chile's international policy, I have the honour to propose to Your Excellency that the Governments of Bolivia and Chile formally enter into a direct negotiation in order to satisfy Bolivia's fundamental need to obtain its own and sovereign access to the Pacific Ocean, thus resolving the problem of Bolivia's confinement, on the basis of mutual benefits and the true interests of both countries.
.....

(Signed) Alberto OSTRIA GUTIÉRREZ.

Annex 11

**NOTE OF 20 JUNE 1950 FROM THE MINISTER OF FOREIGN AFFAIRS OF CHILE
TO THE AMBASSADOR OF BOLIVIA**

[Translation submitted by Bolivia]

.....
From the quotes contained in the Note I am replying to, it is understood that the Government of Chile, while safeguarding the legal situation established in the Treaty of Peace of 1904, has been willing to consider, in direct negotiations with Bolivia, the possibility of satisfying the aspirations of Your Excellency's Government and the interests of Chile.

On this occasion, I have the honour of informing Your Excellency that my Government will be consistent in that position and, within a spirit of fraternal friendship towards Bolivia, it is willing to formally enter into a direct negotiation aiming at finding the formula which would make it possible to grant Bolivia an own and sovereign access to the Pacific Ocean and for Chile to obtain compensations that are not of a territorial nature and that effectively take into account its interests.
.....

(Signed) Horacio WALKER LARRAÍN.

Annex 12

**MEMORANDUM FROM THE EMBASSY OF CHILE IN LA PAZ,
10 JULY 1961**

[Translation submitted by Bolivia]

.
2. Note No. 9 of our Ministry of Foreign Affairs, dated 20 June 1950 in Santiago, is a clear testimony of those purposes. Through this Note, Chile states that

“it is willing to formally enter into a direct negotiation aiming at finding the formula which would make it possible to grant Bolivia an own and sovereign access to the Pacific Ocean and for Chile to obtain compensations that are not of a territorial nature and that effectively take into account its interests”.

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Annex 13

**JOINT DECLARATION OF CHARAÑA,
8 FEBRUARY 1975**

[Translation submitted by Bolivia]

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4. Both Presidents, within a spirit of mutual understanding and a constructive mindset, have resolved to continue with the dialogue on different levels to find formulas for solving the vital issues which both countries face, such as the one relating to the confinement affecting Bolivia, on the basis of reciprocal benefits and considering the aspirations of the Bolivian and Chilean people.
.

(Signed) General Hugo BANZER SUÁREZ.

(Signed) General Augusto PINOCHET UGARTE.

Annex 14

NOTE NO. 686 OF 19 DECEMBER 1975 TO THE AMBASSADOR OF BOLIVIA
FROM THE MINISTER OF FOREIGN AFFAIRS OF CHILE

[Translation submitted by Bolivia]

.....
(d) Chile would be prepared to negotiate with Bolivia the cession of a strip of land
north of Arica up to the Línea de la Concordia.
.....

(Signed) Patricio CARVAJAL PRADO,
Minister of Foreign Affairs.

Annex 15

**MINUTES OF THE 2ND MEETING OF THE WORKING GROUP
ON BILATERAL AFFAIRS BOLIVIA-CHILE,
17 JULY 2006**

[Translation submitted by Bolivia]

As agreed by both Governments, the Working Group on Bilateral Affairs Bolivia-Chile met in the city of La Paz, Republic of Bolivia, on 17 July 2006, with the purpose of continuing the work on a broad common agenda, without exceptions.

.....

VI. Maritime Issue

Both delegations briefly relayed the conversations they had conducted in that regard in the past few days and agreed to leave this issue for consideration by the Vice-Ministers in the meeting they will have on the 18th of this month.

.....

Done in the city of La Paz, on 17 July 2006.

(Signed) For Bolivia.

(Signed) For Chile.

Annex 16

MINUTES OF THE 22ND MEETING OF THE BOLIVIA-CHILE MECHANISM FOR POLITICAL CONSULTATIONS, 14 JULY 2010

[Translation submitted by Bolivia]

In the city of La Paz, from 12 to 14 July 2010, the 22nd meeting of the Bolivia-Chile Mechanism for Political Consultations was held, with the purpose of conducting an analysis and monitoring the progress as regards the thirteen items on the broad common agenda set by both countries, without exceptions.

VI. Maritime Issue

The Vice-Ministers of Foreign Affairs underlined the importance of the bilateral dialogue as a mechanism of understanding between the Governments of Bolivia and Chile.

They reaffirmed that the process reflects a policy agreed between both Governments and, considering the high levels of mutual trust achieved in the present meeting, they confirmed that they would maintain this climate so it would encourage the bilateral dialogue in order to address the broad topic of point VI of the Agenda of the 13 Points in that context, and thus to propose how to reach concrete, feasible and useful solutions during the next and successive meetings of the Mechanism for Political Consultations, that benefit the understanding and harmony of both countries.

At the close of the present meeting, the delegations congratulated one another on the work carried out, the co-ordination accomplished and the planning of both teams, as well as on the high level of organization, whereby they agreed to hold their next meeting in November 2010, in the city of Arica.

For Bolivia,

(Signed)

Mónica SORIANO LÓPEZ,

Vice-Minister
of Foreign Affairs.

For Chile,

(Signed)

Fernando SCHMIDT ARIZTÍA,

Sub Secretary
of Foreign Affairs.

Annex 17

**DECLARATION OF THE PRESIDENT OF BOLIVIA, EVO MORALES AYMA,
DATED 17 FEBRUARY 2011**

[Translation submitted by Bolivia]

Los Tiempos.com

**EVO ASKS CHILE TO SUBMIT A MARITIME PROPOSAL
BY 23 MARCH FOR DISCUSSION**

Insistence that Piñera's Government work in a complementary manner

La Paz

Morales said at a press conference that “it is time we have concrete proposals to discuss”, now that both countries have been able to build mutual trust and lay the foundations for a dialogue about the Bolivian claim of access to the sea; for the first time, he set a deadline and added:

“How good it would be to have a concrete proposal by 23 March. I take this opportunity to respectfully ask this of the President, the Government, the Chilean people, and by 23 March, I will be awaiting a concrete proposal as a basis for a discussion . . . This would be of enormous satisfaction for the Bolivian people.”

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Source: Efe Agency.
