

7. Bolivia

- (a) CONSTITUTION OF 23 NOVEMBER 1945 (AS AMENDED). TEXT FURNISHED BY THE BOLIVIAN MINISTRY OF FOREIGN AFFAIRS. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

Article 58. The following are the functions of the legislative power:

. . .

(13) To approve or withhold approval of international treaties and conventions of all kinds.

. . .

Article 94. The President shall have the following powers and duties:

. . .

(2) To negotiate and conclude treaties with foreign nations; and to exchange them after prior approval by Congress.

- (b) MEMORANDUM OF 5 APRIL 1951 FROM THE BOLIVIAN MINISTRY OF FOREIGN AFFAIRS. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

1. Any international instrument to which Bolivia becomes a party must be approved in the Council of Ministers by the adoption of a resolution, signed by the President and by all the Ministers of State with the concurrence of the Under-Secretary for Foreign Affairs. The President of the Republic then sends a special message to the President of the National Congress, countersigned by the Chancellor of the Republic, setting forth the scope of the treaty and requesting, in accordance with article 58, paragraph 13 of the Political Constitution of the State, that it should be considered and approved by the Legislative Power.

2. The President subsequently causes the treaty to be read in Congress, whereupon it goes to the Joint Committee on Diplomatic Matters, which is composed of fourteen members: nine deputies and five senators. When the matter is urgent, formalities may be discussed and approved immediately after three readings—i.e., as a whole, in detail, and in revised form. Once the Bill submitted to Congress has been approved, the treaty is returned to the Executive Power for action, together with the relevant act duly authenticated with a view to its solemn promulgation.

3. When no request is made to dispense with formalities, and the treaty has gone to the Committee on Diplomatic Matters for report, it comes back to Congress, which then proceeds to debate and approve the treaty Bill. When these requirements have been fulfilled, the Legislative Power returns to the Executive the relevant act duly authenticated for necessary action.

4. When the Committee on Diplomatic Matters fails to reach unanimous agreement, a majority report and a minority report are submitted; in the rare case of total disagreement among the members, individual reports are prepared. When the reports have been read, and the Bill has been tabled by the Committee, it is discussed and approved in accordance with the procedure outlined above.