

Treaties to which Spain is a Party Concerning Matters of Public International Law, 2006

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This survey includes the treaties covered by art. 2.1 a) of the Vienna Convention on the Law of Treaties, published in the *Boletín Oficial del Estado* (Official Journal of the State). Its purpose is to record the legal effects of these instruments, such as ratification or accession, municipal entry into force, provisional application, reservations or declarations, territorial application, termination and abrogation. In a few instances some relevant articles or references will be reproduced in an unofficial translation.

I. INTERNATIONAL LAW IN GENERAL

II. SOURCES OF INTERNATIONAL LAW

III. RELATIONSHIP BETWEEN INTERNATIONAL AND MUNICIPAL LAW

IV. SUBJECTS OF INTERNATIONAL LAW

V. THE INDIVIDUAL AND INTERNATIONAL LAW

1. Human rights

– Resolution of 16 of January 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs regarding the objection of Spain, dated 2 December 2005, to the reservation formulated by Oman to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, done at New York, 25 May 2000.

Deposit of the objection by Spain: 2.12.05 (BOE 21, 25.01.06).

Note: “The Government of the Kingdom of Spain has examined the reservations made by the Sultanate of Oman on 17 September 2004 upon its accession to the

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict of 25 May 2004.

The Government of the Kingdom of Spain notes that the Optional Protocol is subject to the reservations made by the Sultanate of Oman to the Convention on the Rights of the Child. The reservations to the Convention include a general reservation to all those provisions of the Convention that do not accord with Islamic Law or the legislation in force in the Oman and a reservation to the effect that the provisions of the Convention should be applied within the limits imposed by the material resources available.

The Government of the Kingdom of Spain considers that the above mentioned reservations which subordinate all the provisions of the Optional Protocol to Islamic Law or the legislation in force in Oman, to which a reference of general nature is made, without either specifying its content or the limits imposed by the material resources available, do not permit to clearly determine the extent to which Oman has accepted the obligations derived from the Optional Protocol, and thereby such reservations raise doubts as to the Sultanate of Oman's commitment to the object and purpose of the Optional Protocol.

The Government of the Kingdom of Spain considers that the reservations made by the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict are incompatible with the object and the purpose of the Optional Protocol.

The Government of the Kingdom of Spain recalls that in accordance with customary international law as codified in the Vienna Convention on the Law of Treaties, reservations which are incompatible with the object and the purpose of a treaty are not permitted.

Consequently, the Government of the Kingdom of Spain objects to the reservations made by the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict.

This objection shall not preclude the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict of 25 May 2000 between the Kingdom of Spain and the Sultanate of Oman".

– Resolution of 20 of February 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs regarding to the objection of Spain to the declaration made by Pakistan to the International Covenant on Economic, Social and Cultural Rights, done at New York on 16 December 1966.

Deposit of the objection by Spain: 15.11.05 (BOE 51, 1.03.06).

Note: "The Government of the Kingdom of Spain has examined the Declaration made by the Government of the Islamic Republic of Pakistan on 3 November 2004 on signature of the International Covenant on Economic, Social and Cultural Rights, of 16 December 1966.

The Government of the Kingdom of Spain points out that regardless of what it may be called, a unilateral declaration made by a State for the purpose of exclud-

ing or changing the legal effects of certain provisions of a treaty as it applies to that State constitutes a reservation.

The Government of the Kingdom of Spain considers that the Declaration made by the Government of the Islamic Republic of Pakistan, which seeks to subject the application of the provisions of the Covenant to the provisions of the constitution of the Islamic Republic of Pakistan is a reservation which seeks to limit the legal effects of the Covenant as it applies to the Islamic Republic of Pakistan. A reservation that includes a general reference to national law without specifying its contents does not make it possible to determine clearly the extent to which the Islamic Republic of Pakistan has accepted the obligations of the Covenant and, consequently, creates doubts as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Covenant.

The Government of the Kingdom of Spain considers that the Declaration made by the Government of the Islamic Republic of Pakistan to the effect that it subjects its obligations under the International Covenant on Economic, Social and Cultural Rights to the provisions of its constitution is a reservation and that that reservation is incompatible with the object and purpose of the Covenant.

According to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a treaty are not permissible.

Consequently, the Government of the Kingdom of Spain objects to the reservation made by the Government of the Islamic Republic of Pakistan to the International Covenant on Economic, Social and Cultural Rights.

This objection shall not preclude the entry into force of the Covenant between the Kingdom of Spain and the Islamic Republic of Pakistan.

– Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York, 18 December of 2002.

Instrument of ratification: 3.03.06.

Entry into force: 22.06.06 (BOE 148, 22.06.06).

VI. ORGANS OF THE STATE

1. Diplomatic Relations

– Agreement between Spain and Bosnia-Herzegovina on exemption of visas for diplomatic and service passport holders, done *ad referendum* at Sarajevo, on 18 May 2005.

Entry into force: 31.3.06 (BOE 72, 25.03.06).

– Agreement between the Spanish Government and the Government of the Republic of Albania on exemption of visas for diplomatic and service passport holders, done at Tirana on 6 February 2006.

Provisional application: 8.03.06 (BOE 118, 18.05.2006).

– Agreement between Spain and Serbia and Montenegro on exemption of visas for diplomatic and official or service passport holders, done *ad referendum* at Belgrado on 17 May 2005.

Entry into force (for the Republic of Serbia): 30.06.06 (BOE 165, 12.7.06).

Note: This agreement, signed by the Republic of Serbia and Montenegro, entered into force for the Republic of Serbia, continuing the international personality of the Union of Serbia and Montenegro on 30 June 2006 (in conformity with the Resolution of the Serbian Parliament dated 5 June, transmitted by Verbal Note of 6 June and accepted by Agreement of the *Consejo de Ministros* of Spain on 16 June, regarding the diplomatic relations of the Kingdom of Spain with the Serbian Republic).

2. Relations with International Organizations

– Agreement between the Kingdom of Spain and the Secretariat of the Convention on Biological Diversity on the Fourth Meeting of the Ad Hoc Open-ended Working Group on article 8.j) and related provisions of the Convention of Biological Diversity and the Fourth Meeting of the Ad Hoc Open-ended Working Group on Access and Benefit Sharing, done at Madrid, 19 December 2005.

Provisional application: 19.12.05 (BOE 56, 7.03.06).

– Framework Agreement between the Kingdom of Spain and the United Nations Population Fund (UNFPA), done at New York on 28 June 2005.

Entry into force: 17.03.06 (BOE 82, 6.04.06).

– Agreement between the Kingdom of Spain and the European Space Agency for the installation of a new high-performance of deep-space tracking station in Cebreros (Ávila), done at Madrid on 22 July 2003.

Provisional application: 22.07.03 (BOE 240, 7.10.03).

Definitive entry into force: 24.04.06 (BOE 123, 24.05.06).

– Framework Agreement between the Kingdom of Spain and the United Nations Development Fund for Women (UNIFEM), done at Madrid on 8 June 2005.

Entry into force: 3.05.06 (BOE 127, 29.5.2006 and 211, 4.09.06).

– Convention on the Responsibilities assumed by the Kingdom of Spain with the Food and Agriculture Organization of the United Nations regarding the consultation of experts on forest fires, done at Rome, on 8 May 2006.

Provisional application: 8.05.06 (BOE 145, 19.06.06).

– Convention on the Responsibilities assumed by the Kingdom of Spain with the Food and Agriculture Organization of the United Nations concerning the tenth meeting of the Sub-Committee on Fish Trade of the Committee on Fisheries, done at Rome on 29 May 2006.

Provisional application: 29.05.06 (BOE 159, 5.07.06).

– Convention on the Responsibilities assumed by the Kingdom of Spain with the Food and Agriculture Organization of the United Nations concerning the First Meeting of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (Madrid, 12–16 June), done at Rome on 25 May 2006.

Provisional application: 25.05.06 (BOE 160, 6.07.06).

– Convention on the Responsibilities assumed by the Kingdom of Spain with the Food and Agriculture Organization of the United Nations concerning the Fifth Meeting of the Aquaculture Committee of the General Fisheries Commission for the Mediterranean, done at Rome on 29 May 2006.

Provisional application: 29.05.06 (BOE 161, 7.07.06).

– Host Country Agreement between the Kingdom of Spain and the United Nations relating to the organization of the “Madrid Ministerial Round Table of West and Central African Countries on Counter-Terrorism Legal Framework”, done at Vienna on 18 May 2006.

Provisional application: 18.05.06 (BOE 231, 27.09.06).

– Agreement between the United Nations and the Kingdom of Spain concerning the celebration of the Sixth Meeting of the Executive Committee of the Statistical Conference of the Americas of the Economic Commission for Latin America and the Caribbean (ECLAC), done at Santiago de Chile on 20 September 2006.

Provisional application: 20.09.06 (BOE 269, 10.11.06).

VII. TERRITORY

VIII. SEAS, WATERWAYS AND SHIPS

IX. INTERNATIONAL SPACES

– Agreement on Antarctic Cooperation between the Government of the Kingdom of Spain and the Government of the Republic of Bulgaria, done at New York on 18 September 2005.

Entry into force: 10.4.06 (BOE 130, 1.6.06).

X. ENVIRONMENT

– New Revised Text of the International Convention for Fitosanitary Protection, done at Rome on 6 December 1951, which entered into force on 3 April 1952 and was revised on 1979, adopted by the FAO Conference on its 29th Session, at Rome on 18 November 1997.

Instrument of acceptance: 26.04.00.

Entry into force: 2.10.05 (BOE 200, 22.08.06).

- Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, done at London on 15 March 2000.

Instrument of adhesion: 14.01.05.

Entry into force: 14.06.07 (BOE 201, 23.08.06).

XI. LEGAL ASPECTS OF INTERNATIONAL COOPERATION

1. General Treaties

- Treaty of Friendship and Cooperation between the Kingdom of Spain and Bosnia-Herzegovina, done at Madrid on 25 April 2002.

Instrument of ratification: 12.12.05.

Entry into force: 6.05.2006 (BOE 163, 10.07.06).

- Basic Convention on Cooperation between the Kingdom of Spain and the Socialist Republic of Vietnam, done at Madrid on 8 October 2001.

Note: State Parties will promote, by this convention, the development of economic, technical, scientific, cultural and educational cooperation in those areas determined by mutual agreement.

Entry into force: 2.08.06 (BOE 236, 3.10.06).

2. Military and Defence Cooperation

- Exchange of Notes, dated 17 April 2006, between the Kingdom of Spain and the Portuguese Republic on the application in Spain of the SOFA (Status of Forces Agreement) NATO to the participant troops in the simulation EGEX-06 of the European Gendarmerie Force that will take place in Madrid since 19 to 28 April.

Provisional application: 17.04.06 (BOE 136, 8.06.06).

- Exchange of Notes, dated 7 and 11 April 2006 between the Kingdom of Spain and the Italian Republic on the application in Spain of the SOFA (Status of Forces Agreement) NATO to the participant troops in the simulation EGEX-06 of the European Gendarmerie Force that will take place in Madrid since 19 to 28 April.

Provisional application: 11.04.06 (BOE 136, 8.06.06).

- Exchange of Notes, dated 7 and 13 April 2006, between the Kingdom of Spain and the Kingdom of The Netherlands, on the application in Spain of the SOFA (Status of Forces Agreement) NATO to the participant troops in the simulation EGEX-06 of the European Gendarmerie Force that will take place in Madrid since 19 to 28 April.

Provisional application: 13.04.06 (BOE 137, 9.06.2006).

– Exchange of Notes, dated 7 and 17 April 2006, between the Kingdom of Spain and the French Republic, on the application in Spain of the SOFA (Status of Forces Agreement) NATO to the participant troops in the simulation EGEX-06 of the European Gendarmerie Force that will take place in Madrid since 19 to 28 April.

Provisional application: 17.04.06 (BOE 137, 9.06.2006).

3. Cultural Cooperation

– Agreement between the Government of the Kingdom of Spain and the Government of the People's Republic of China on the creation of Cultural Centres, done at Madrid on 14 November 2005.

Provisional application: 25.11.05 (BOE 34, 9.02.06).

Definitive entry into force: 1.10.06 (BOE 235, 2.10.06).

– Exchange of Notes, dated 9 January and 6 February 2004, constitutive of de Agreement modifying articles 11, 12 and 13 of the Treaty on Cultural Interchange between Spain and Paraguay, dated 26 March 1957.

Entry into force: 21.12.05 (BOE 35, 10.02.06).

– Convention on Cultural, Educational and Scientific Cooperation between the Government of the Kingdom of Spain and the Government of the Socialist Republic of Vietnam, done at Madrid, on 11 June 2005.

Entry into force: 24.11.05 (BOE 68, 21.03.06).

– Convention between the Government of the Kingdom of Spain and the Government of the Republic of Poland on the establishment and functioning of the Culture Institutes, done at Warsaw, on 30 September 2005.

Provisional application: 30.09.05 (BOE 287, 1.12.05).

Entry into force: 1.06.06 (BOE 172, 20.07.06).

– Agreement on Tourism Cooperation between The Government of the Kingdom of Spain and the Government of the Russian Federation, done at Madrid on 9 February 2006.

Entry into force: 24.08.06 (BOE 250, 19.10.06).

– Exchange of Notes, constitutive of the Agreement between Spain and the International Centre for Advanced Mediterranean Agronomic Studies (CIHEAM) for the recognition of the MSc diplomas that are delivered for the Mediterranean Agronomic Institute of Zaragoza as official diplomas of Master, done at Madrid on 27 September 2006.

Provisional application: 27.09.06 (BOE 278, 21.11.06).

– Modifications of 10 October 2006, of the Convention concerning Cinematographic Relations between the Kingdom of Spain and the Government of Canada, done at Madrid on 14 January 1985.

Entry into force: 10.10.06 (BOE 296, 12.12.06).

4. Scientific and Technical Cooperation

– Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, done at Tampere, on 18 June 1998.

Instrument of acceptance: 10.02.06.

Entry into force: 29.03.06 (BOE 81, 5.04.06).

With the following reservation formulated by Spain:

To the extent to which certain provisions of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations fall within the area of responsibility of the European Community, Spain cannot implement those decisions unless the European Community becomes a party to the Convention.

– International Convention creating the Iberian Electricity Market between the Kingdom of Spain and the Portuguese Republic, done at Santiago de Compostela on 1 October 2004.

Entry into force: 10.04.06 (BOE 121, 22.05.06).

– Administrative Agreement between Spain and France concerning the management of water, signed in Toulouse on 15 February 2006.

Entry into force: 15.02.06 (BOE 192, 12.08.06).

– Exchange of Letters dated 12 September 2006, between Spain and the United Nations International Astronautical Federation (IAF), concerning the use of space technology for the management of water (Valencia, 29 and 30 September 2006).

Provisional application: 12.09.06 (BOE 268, 9.11.06).

– Agreement between the Kingdom of Spain and the Principality of Andorra on the transport and management of waste, done at Madrid on 17 October 2006.

Provisional application: 17.10.06 (BOE 292, 7.12.06).

5. Financial and Tax Cooperation

– Convention between the Spanish Government and the Macedonian Government for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and on capital, done at Madrid on 20 June 2005.

Entry into force: 1.12.05 (BOE 2, 3.01.06).

– Convention between the Kingdom of Spain and the Socialist Republic of Vietnam for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income, done at Hanoi on 7 March 2005.

Entry into force: 22.12.05 (BOE 8, 10.01.06).

– Agreement for the mutual promotion and protection of investments between the Kingdom of Spain and the Federal Republic of Nigeria, done at Abuja on 9 July 2002.

Entry into force: 19.01.06 (BOE 36, 11.02.06).

– Convention between the Kingdom of Spain and the Republic of Croatia for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and on capital, done at Zagreb on 19 May 2005.

Entry into force: 20.04.06 (BOE 122, 23.5.06).

– Convention between the Kingdom of Spain and the Arab Republic of Egypt for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and on capital, done at Madrid on 10 June 2005.

Entry into force: 28.05.06 (BOE 164, 11.07.06).

– Convention between the Kingdom of Spain and Malta for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income, done at Madrid on 8 November 2005.

Entry into force: 12.09.06 (BOE 214, 7.09.06).

– Agreement between the Kingdom of Spain and the Islamic Republic of Iran for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and on capital, done at Teheran on 19 July 2003.

Instrument of ratification: 12.12.05.

Entry into force: 30.01.06 (BOE 235, 2.10.06).

– Convention between the Kingdom of Spain and the Government of New Zealand for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income, and Protocol, done at Wellington on 28 July 2005.

Entry into force: 31.07.06 (BOE 243, 11.10.06).

– Agreement between the Kingdom of Spain and the French Republic relating to the Juxtaposed National Control Office of Biriadou, done at Madrid on 13 November 2006.

Provisional application: 13.11.06 (BOE 309, 27.12.06).

6. Road Traffic and Transport

– Multilateral Agreement M-171 under Section 1.5.1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) concerning

the carriage in bulk of solid substances of Classes 6.1 and 8, packing group III in sheeted vehicles, done at Madrid on 27 January 2006 (*BOE* 83, 7.04.06).

– Multilateral Agreement M-173 under Section 1.5.1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (published in the *Boletín Oficial del Estado* 18, dated 21 January 2005), concerning the Codes LQ4 and LQ5 of the 3.4.6, done at Madrid on 30 December 2005 (*BOE* 83, 7.04.06).

– Multilateral Agreement M-175 under Section 1.5.1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) concerning the Carriage of Carbon Dioxide in cylinders up to 500 ml., done at Madrid on 27 January 2006 (*BOE* 83, 7.04.06).

– Multilateral Agreement M-178 under Section 1.5.1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (published in the *Boletín Oficial del Estado* 18, dated 21 January 2005), concerning the Language of the particulars to be entered in the transport document, done at Madrid on 1 March 2006 (*BOE* 128, 30.5.06).

– Exchange of Letters constitutive of the Agreement between the Kingdom of Spain and the Republic of Croatia on the mutual recognition and exchange of national driving licenses, done at Madrid on 9 and 28 June 2006.

Provisional application: 29.06.06 (*BOE* 228, 23.9.06).

– Exchange of Letters, dated 26 October 2004, constitutive of the Agreement between the Kingdom of Spain and the People's Democratic Republic of Algeria on the mutual recognition and exchange of national driving licenses.

Entry into force: 6.09.06 (*BOE* 237, 4.10.06 and 243, 11.10.06).

– Multilateral Agreement ADR M-177 under Section 1.5.1 of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), published in the *Boletín Oficial del Estado* 18, on 21 January 2005, concerning the Transport Document in Delivery Sale Operations, done at Madrid on 23 June 2006 (*BOE* 272, 14.11.06).

7. Rail Traffic and Transport

– 1999 Amendment Protocol of the Convention concerning International Transport by Rail (COTIF), dated 9 May 1980, done at Vilna on 3 June 1999.

Instrument of ratification: 7.06.02.

Entry into force: 1.07.2006 (*BOE* 149, 23.6.06).

8. Sea Traffic and Transport

– Convention on Maritime Transport between the Kingdom of Spain and the Russian Federation, done at Moscow on 22 May 2001.

Entry into force: 17.01.06 (BOE 26, 31.01.06).

– 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matters, 1972, done at London on 7 November 1996.

Instrument of ratification: 12.03.99.

Entry into force: 24.03.06 (BOE 77, 31.03.06).

– 2003 Amendments to the Protocol of 1988, relating to the International Convention on Load Lines, 1966, adopted on 5 June 2003, by Resolution MSC 143(77) (BOE 95, 21.04.06).

– Agreement between the Kingdom of Spain and the UNESCO, concerning to the VI Meeting of the IOC Advisory Body of Experts on the Law of the Sea (IOC. ABE-LOS VI), that will take place in Málaga (3–7 April 2006), done at Paris on 30 March 2006.

Provisional application: 30.03.06 (BOE 117, 17.5.06).

– Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines (NOx Technical Code), under Resolution 2 adopted by the Conference of States Parties at the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (Conference 3 MARPOL 1997), adopted in London on 26 September 1997.

Entry into force: 19.05.05 (BOE 131, 2.06.06).

– 1998 Amendments to the Seafarers' training certification and watch keeping code (STCW) (published in *Boletín Oficial del Estado* 120, 20 May 1997), adopted on 9 December 1998 by Resolution MSC.78 (70).

Entry into force: 1.01.2003 (BOE 176, 25.7.06).

– Exchange of letters, dated 9 June and 3 July 2006, concerning the creation of a Spanish-French Intergovernmental Commission to propose the selection of a maritime superhighway between Spain and France.

Provisional application: 12.07.06 (BOE 265 6.11.06).

9. Air traffic and transport

– Agreement between the Kingdom of Spain and the Republic of Cuba on aerial transport, done at La Habana on 22 April 2005.

Entry into force: 12.07.06 (BOE 213, 6.09.06).

10. Labour, Social Security and Emigration

– Convention on Social Security between the Kingdom of Spain and the Republic of Paraguay, done at Asuncion on 24 June 1998.

Instrument of ratification: 12.12.05.

Entry into force: 1.03.06 (BOE 28, 2.02.06).

– Administrative Agreement for the implementation of the Convention on Social Security between the Kingdom of Spain and the Federative Republic of Brazil, done at Madrid on 23 November 2005.

Entry into force: 23.11.05 (BOE 110, 9.5.06).

– Convention on Social Security between the Kingdom of Spain and the Dominican Republic, done at Madrid on 1 July 2004.

Entry into force: 1.07.06 (BOE 139, 12.6.06).

– Complementary Convention to the Convention on Social Security between the Kingdom of Spain and the Republic of Chile, dated 28 of January 1997, done at Valencia on 14 May 2002.

Instrument of ratification: 30.05.06.

Provisional application: 1.06.02 (BOE 225, 19.09.02).

Definitive entry into force: 14.06.06 (BOE 177, 26.7.06).

– Agreement between the Spanish Government and the Government of Macedonia regarding the readmission of persons residing without authorisation, done *ad referendum* in Skopje on 6 February 2006.

Entry into force: 19.11.06 (BOE 280, 23.11.06).

– Framework Agreement regarding cooperation on immigration matters between the Kingdom of Spain and the Republic of Gambia, done *ad referendum* in Banjul on 9 October 2006.

Provisional application: 8.11.06 (BOE 310, 28.12.06).

11. Civil and Criminal Cooperation

– Convention drawn up on the basis of Article K.3 (2) (c) of the Treaty on European Union on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, done at Brussels on 26 May 1997.

Entry into force: 28.09.05 (BOE 74, 28.03.06).

With the following reservation:

Spain declares, in accordance with Article 15, and in relation to Article 10(2), that she is not bound by paragraph 1 of that Article in the cases provided for in subparagraphs (a), (b) and (c).

With the following declaration:

Spain declares, in accordance with Article 15, and in relation to Article 12(4) and (5), that she accepts the competence of the Court of Justice, for matters referred for preliminary rulings by Spanish courts against the decisions of which there is no judicial remedy.

– Protocol drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the use of information technology for customs purposes and the Protocol on the interpretation by way of preliminary rulings, by the Court of Justice of the European Communities, of that Convention, done at Brussels on 29 November 1996.

Entry into force: 25.12.05 (BOE 79, 3.04.06).

With the following declaration formulated by Spain:

The Kingdom of Spain declares the acceptance of the jurisdiction of the Court of Justice of the European Communities, by way of preliminary rulings, in accordance with the procedures laid down in article 2 and in conformity with the possibility established in the paragraph 2 a) of the same article.

The Kingdom of Spain reserves the right to make provision to its national law to the effect that, where a question relating to the interpretation of the convention on the use of information technology of customs purposes is raised in a case pending before a national court or tribunal against whose decision there is no judicial remedy under national law, the court or tribunal will be required to refer the matter to the Court of Justice.

– Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes, done at Brussels on 26 July 1995.

Provisional application: 1.11.00 (BOE 268, 8.11.00).

Definitive entry into force: 25.12.05 (BOE 104, 2.5.06).

– Convention on judicial assistance in civil and commercial matters between the People's Democratic Republic of Algeria and the Kingdom of Spain, done *ad referendum* in Madrid on 24 February 2005.

Entry into force: 24.04.06 (BOE 103, 1.5.06).

– Resolution of 18 May 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs, regarding to the objection by Spain of the Explanatory Declaration made by Egypt upon ratification of the International Convention for the Suppression of the Financing of Terrorism, done at New York on 9 December 1999.

Deposit with the UN Secretary General: 4.04.06 (BOE 133, 5.6.06).

With regard to the explanatory declaration made by Egypt upon ratification:

The Government of the Kingdom of Spain has examined the reservation to article 2, paragraph 1 (b), of the International Convention for the Suppression of the Financing of Terrorism made by the Arab Republic of Egypt at the time of its ratification of the Convention.

The Government of the Kingdom of Spain considers that this reservation is contrary to the object and purpose of the Convention.

The Government of the Kingdom of Spain considers, in particular, that the reservation made by the Arab Republic of Egypt is contrary to article 6 of the Convention, according to which the States Parties pledge to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

The Government of the Kingdom of Spain recalls that, according to customary international law as codified in the 1969 Vienna Convention on the Law of Treaties (article 19 (c)), a reservation incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Kingdom of Spain therefore objects to the reservation made by the Arab Republic of Egypt to article 2, paragraph 1 (b), of the International Convention for the Suppression of the Financing of Terrorism.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Arab Republic of Egypt.

- Resolution of 18 May 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs, regarding to the objection by Spain to the reservation made by the Syrian Arab Republic to article 2.1 b) of the International Convention for the Suppression of the Financing of Terrorism, done at New York on 9 December 1999.

Deposit with the UN Secretary General: 4.04.06 (BOE 133, 5.6.06).

With regard to the reservation made by the Syrian Arab Republic upon accession:

The Government of the Kingdom of Spain has examined the reservation entered by the Syrian Arab Republic to article 2, paragraph 1 (b), of the International Convention for the Suppression of the Financing of Terrorism upon ratifying that instrument.

The Government of the Kingdom of Spain considers that this reservation is incompatible with the object and purpose of the Convention.

The Government of the Kingdom of Spain considers, in particular, that the reservation entered by the Syrian Arab Republic is incompatible with article 6 of the Convention, whereby States parties undertake to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure

that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.

The Government of the Kingdom of Spain recalls that, under the customary-law provision enshrined in article 19 (c) of the 1969 Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of the treaty concerned are not permitted.

Accordingly, the Government of the Kingdom of Spain objects to the reservation entered by the Syrian Arab Republic to article 2, paragraph 1 (b), of the International Convention for the Suppression of the Financing of Terrorism.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Syrian Arab Republic.

- Resolution of 14 June 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs, regarding to the objection by Spain to the reservation made by Belgium to article 11 of the International Convention for the Suppression of Terrorist Bombings, done at New York on 9 January 1998.
Deposit with the UN Secretary General: 19.05.06 (BOE 151, 26.06.06).

With regard to the declaration made by Belgium upon ratification:

The Government of the Kingdom of Spain has examined the reservation made by the Government of the Kingdom of Belgium to article 11 of the International Convention for the Suppression of Terrorist Bombings upon ratifying that Convention.

The Government of the Kingdom of Spain considers that this reservation is incompatible with the object and purpose of the Convention.

The Government of the Kingdom of Spain considers, in particular, that the reservation by Belgium is incompatible with article 5 of the Convention, whereby States parties undertake to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or others of similar nature.

The Government of the Kingdom of Spain recalls that, under the customary-law provision enshrined in article 19 (c) of the 1969 Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of the treaty concerned are not permitted.

Accordingly, the Government of the Kingdom of Spain objects to the reservation made by the Government of the Kingdom of Belgium to article 11 of the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Kingdom of Belgium.

– United Nations Convention against Corruption, done at New York on 31 October 2003.

Instrument of ratification: 9.06.06.

Entry into force: 19.07.06 (BOE 171, 19.07.06).

With the following Declaration: “The Kingdom of Spain declares that the expression ‘special territory’ used in article 46, paragraph 13, refers to entities included within the territorial organization of States Parties, but not to territories for whose international relations those States are responsible”.

– International Convention for the Suppression of Counterfeiting Currency, done at Geneva on 20 April 1929 (published in the *Gaceta de Madrid* on 8 March 1931).

Deposit with the UN Secretary General: 12.06.06 (BOE 191, 11.8.06).

Notification of the Kingdom of Spain concerning articles 12–15 of the Convention:

The Kingdom of Spain, as a Member State of the European Union, has given the European Police Office (hereinafter referred to as Europol) a mandate to combat euro counterfeiting.

In order for the Geneva Convention of 1929 to function more effectively, Spain shall in future fulfil its obligations as follows:

1. With regard to euro counterfeiting, Europol shall perform – in the framework of its objective according to the Council Act of 26 July 1995 on the establishment of a European Police Office (Europol Convention) [OJ C 316, 27.11.1995, p. 1] – the following central office functions within the meaning of Articles 12 to 15 of the Geneva Convention of 1929.

1.1. Europol shall centralise and process, in accordance with the Europol Convention, all information of a nature to facilitate the investigation, prevention and combating of euro counterfeiting and shall forward this information without delay to the national central offices of the Member States.

1.2. In accordance with the Europol Convention, in particular in accordance with Article 18 thereof and the Council Act of 12 March 1999 adopting the rules governing the transmission of personal data by Europol to third States and third bodies [OJ C 88, 30.3.1999 p. 1. Council Act as amended by Council Act of 28 February 2002 (OJ C 76, 27.3.2002, p. 1)], Europol shall correspond directly with the central offices of third countries to fulfil the tasks set down in points 1.3, 1.4 and 1.5 of this Declaration.

1.3. Europol shall, insofar as it considers it expedient, forward to the central offices of third countries a set of specimens of actual euro.

1.4. Europol shall regularly notify the central offices of third countries, giving all necessary particulars, of new currency issued and the withdrawal of currency from circulation.

1.5. Except in cases of purely local interest, Europol shall, insofar as it considers it expedient, notify the central offices of third countries of:

Any discovery of counterfeit or falsified Euro currency. Notification of the counterfeit or falsification shall be accompanied by a technical description of the counterfeit, to be provided solely by the institution whose notes have been counterfeited. A photographic reproduction or, if possible, a specimen counterfeited note should be transmitted. In urgent cases, a notification and a brief description made by the police authorities may be discreetly communicated to the central offices interested, without prejudice to the notification and technical description mentioned above;

Details of discoveries of counterfeiting, stating whether it has been possible to seize all the counterfeit currency put into circulation.

1.6. As central office for the Member States, Europol shall participate in conferences dealing with euro counterfeiting within the meaning of Article 15 of the Geneva Convention.

1.7. Where Europol is unable to carry out the tasks specified in points 1.1. to 1.6. in accordance with the Europol Convention, the national central offices of the Member States shall retain competence.

2. With regard to the counterfeiting of all other currencies and for central office functions not delegated to Europol in accordance with point 1, the existing competencies of the national central offices shall remain in effect.

– Agreement between Rumania and Spain on cooperation to protect unaccompanied migrant Rumanian children in Spain, their repatriation and for fighting against their exploitation, done at Madrid on 15 December 2005.

Entry into force: 19.08.06 (BOE 195, 16.8.06).

– Resolution of 25 October 2006, of the Technical Secretariat-General of the Ministry of Foreign Affairs, regarding to the objection by Spain to the reservation made by Egypt to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings, done at New York on 9 January 1998.

Deposit with the UN Secretary General: 11.08.06 (BOE 257, 27.10.06).

With regard to the reservation made by Egypt upon ratification:

The Government of the Kingdom of Spain has examined the reservation to article 19, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings presented by the Government of the Arab Republic of Egypt.

The Government of the Kingdom of Spain considers that Egypt's reservation relates to an essential component of the Convention, having an impact not only on article 19, paragraph 2, but also on the clause establishing the scope of the Convention's implementation, because its effect is to alter the law applicable to actions of a State's armed forces which violate international law. As a result, this is a reservation which runs counter to the interests safeguarded by the Convention, and to the Convention's object and purpose.

The Government of the Kingdom of Spain wishes to recall that, according to the provision of international law codified in the 1969 Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty are prohibited.

Consequently, the Kingdom of Spain objects to Egypt's reservation to article 19, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Arab Republic of Egypt.

– Convention on Extradition between the Kingdom of Spain and the Islamic Republic of Mauritania, adopted on 12 September 2006.

Provisional application: 12.09.06 (BOE 267, 8.11.06 y 296, 12.12.06).

– Convention between the Kingdom of Spain and the Islamic Republic of Mauritania regarding to the assistance to detainees and the transfer of sentenced persons, adopted on 12 September 2006.

Provisional application: 12.09.06 (BOE 267, 8.11.06).

– Convention on judicial assistance in civil and commercial matters between the Kingdom of Spain and the Islamic Republic of Mauritania, adopted on 12 September 2006.

Provisional application: 12.09.06 (BOE 267, 8.11.06).

– Convention on judicial assistance in criminal matters between the Kingdom of Spain and the Islamic Republic of Mauritania, adopted on 12 September 2006.

Provisional application: 12.09.06 (BOE 267, 8.11.06 y 292, 7.12.06).

– Convention on judicial assistance in civil and commercial matters between the Kingdom of Spain and the Dominican Republic, adopted at Madrid on 15 September 2003.

Provisional application: (BOE 254, 23.10.03).

Definitive entry into force: 1.12.06 (BOE 279, 22.11.06).

– Convention between the Kingdom of Spain and the Dominican Republic on enforcement of criminal decisions, done at Madrid on 15 September 2003.

Provisional application: (BOE 254, 23.10.03).

Entry into force: 1.12.06 (BOE 279, 22.11.06).

– Convention between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration, done at Prüm on 27 May 2005.

Instrument of ratification: 18.07.06.

Entry into force: 1.11.06 (BOE 307, 25.12.06).

XII. INTERNATIONAL ORGANIZATIONS

– Framework Agreement between the Kingdom of Spain and the United Nations Development Programme (UNDP), done at New York on 13 April 2005.

Entry into force: 9.01.06 (BOE 27, 1.02.06).

– Amendments to the Agreement relating to the International Telecommunications Satellite Organization (INTELSAT Agreement) and the Operating Agreement, done at Washington on 20 August 1971 (published in the *Boletín Oficial del Estado* 76, dated 29 March 1973, and 66, dated 17 March 1973, respectively), approved by the XXV Assembly of State Parties in Washington on 17 November 2000.

Entry into force: 30.11.04 (BOE 169, 17.7.06 and 183, 2.8.06).

– Amendments to the Protocol on Privileges and Immunities of the European Organization for the Exploitation of Meteorological Satellites (EUMETSAT) (published in the *Boletín Oficial del Estado* 18, dated 21 of January 1992), adopted in conformity with the decision of the 48th Meeting of the EUMETSAT Council, done at Geneva on 26 June 2001.

Entry into force: 1.01.04 (BOE 179, 28.07.06).

– Amendments to the Constitution and to the Convention of the International Telecommunication Union (Geneva 1992), done at Marrakech on 18 October 2002.

Instrument of acceptance: 8.05.06

With the following declarations:

The Delegations of the European Union Member States declare that the Member States of the EU will apply the instruments hereby adopted by the State Parties Conference (Marrakech, 2002) in conformity with their obligations by virtue of the Treaty establishing the European Economic Community”.

“The Spanish delegation declares, on behalf of his Government, that this State does not accept any of the declarations or reservations formulated by other Governments that should entail an improvement of its financial obligations”.

“The Spanish delegation, in conformity with the Vienna Convention on the Law of Treaties dated 23 of May 1969, reserves to the Kingdom of Spain the possibility to formulate reservations to the Final Acts adopted by this Conference until the deposit of the instrument of ratification”.

Entry into force: 16.05.06 (BOE 183, 2.8.06).

– Agreement establishing the International Organization for the Development of Fisheries in Eastern and Central Europe (EUROFISH), done in Copenhagen on 23 May 2000.

Instrument of adhesion: 17.03.06.

Entry into force: 25.04.06 (BOE 199, 21.8.06 and 307, 25.12.06).

– Agreement on the admission of Spain into the Central American Integration System with the category of Extra Regional Observer, done on 15 October 2005.

Entry into force: 5.10.06 (BOE 272, 14.11.06).

– Agreement on the Trusteeship Fund on Technical Cooperation between the Kingdom of Spain and the United Nations for the creation of the United Nations Office to Support the International Decade for Action “Water for Life, 2005–2015”, done at New York on 19 September 2006.

Provisional application: 19.09.06 (BOE 277, 20.11.06).

XIII. EUROPEAN UNION

– Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the People’s Democratic Republic of Algeria, of the other part, done at Valencia on 22 April 2002.

Entry into force: 1.09.05 (BOE 79, 3.04.06).

– Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic into the European Economic Area, done at Luxembourg on 14 October 2003.

Entry into force: 6.12.05 (BOE 79, 3.04.06).

– Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, done at Cotonou on 23 June 2000; Internal Agreement between Representatives of the Governments of the Member States, meeting within the Council, on the financing and administration of Community Aid and Internal Agreement between Representatives of the Governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of Partnership Agreement ACP-EC.

Instrument of ratification: 22.05.02.

Entry into force: 1.04.03 (BOE 82, 6.04.06).

– Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lebanon, of the other, done at Luxembourg on 17 June 2002.

Entry into force: 1.04.06 (BOE 93, 19.04.06).

XIV. INTERNATIONAL RESPONSIBILITY

– Declaration for the application to the Hong Kong Special Administrative Region of the Convention on Civil Liability for Nuclear Damage (published in the *Boletines*

Oficiales del Estado 28, dated 2 of February 1967, 164, dated 9 July 1968, and 262, dated 1 November 1988), adopted in Paris on 13 October 2000.

Entry into force: 22.11.00 (*BOE* 308, 26.12.06).

XV. PEACEFUL SETTLEMENT OF DISPUTES

XVI. COERCION AND USE OF FORCE SHORT OF WAR

– Agreement between the States Participants in the Multi-national Standby Force High Readiness Brigade for United Nations Operations (SHIRBRIG) concerning the statute of their forces, done at Copenhagen on 13 December 2001.

Instrument of ratification: 8.11.05.

Entry into force: 3.02.06 (*BOE* 52, 2.03.06).

XVII. WAR AND NEUTRALITY