

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

This survey, prepared and compiled by Dr. Blanca Vilà Costa (Professor of Private International Law, University of Barcelona), covers the treaties and other international agreements published in the *Boletín Oficial del Estado* (Official Journal of the State) during 2006.

I. SOURCES OF PRIVATE INTERNATIONAL LAW

II. INTERNATIONAL JURISDICTION

III. PROCEDURE AND JUDICIAL ASSISTANCE

– Agreement regarding judicial assistance in civil and trade matters between the Democratic and Popular Republic of Algeria and the Kingdom of Spain, done *ad referendum* at Madrid on 24 February 2005 (BOE 103, 1.5.2006).

Entry into force: 24 April 2006.

– Agreement regarding judicial assistance in civil and trade matters between the Kingdom of Spain and the Dominican Republic, done at Madrid on 15 September 2003 (BOE 279, 22.11.2006).

Entry into force: 1 December 2006.

– Agreement regarding judicial assistance in civil and trade matters between the Kingdom of Spain and the Islamic Republic of Mauritania, done on 12 September 2006 (BOE 267 of 8.11.2006 and correction of errors, BOE 292 of 7.12.2006).

Provisional application: 12 September 2006

– Correction of errors concerning the Exchange of Notes of 26 October 2004 constituting an Agreement between the Kingdom of Spain and the Democratic and Popular Republic of Algeria on reciprocal recognition and exchange of national driving permits (correction of errors BOE 243, 11.10.2006).

– Exchange of Letters constituting an Agreement between the Kingdom of Spain and the Republic of Croatia on reciprocal recognition and exchange of national driving permits done at Madrid on 9 and 28 June 2006 (BOE 228, 23.9.2006).

Provisional Application: 29 June 2006.

– Exchange of Notes constituting an Agreement between Spain and the International Centre for Advanced Mediterranean Agronomic Studies (CIHEAM) for the

equivalency recognition of the degrees awarded by this latter institution through the Mediterranean Agronomic Institute of Zaragoza and the official Spanish Master degree, done at Madrid on 27 September 2006 (BOE 278, 21.11.2006 and BOE 44, 20 February 2007).

Provisional application: 27 September 2006.

Entry into force: 31 January 2007.

IV. RECOGNITION AND ENFORCEMENT OF FOREIGN JUDGMENTS AND DECISIONS

V. INTERNATIONAL COMMERCIAL ARBITRATION

VI. CHOICE OF LAW: SOME GENERAL PROBLEMS

VII. ALIENS, REFUGEES AND CITIZENS OF THE EUROPEAN COMMUNITY

– Framework cooperation agreement on immigration between the Kingdom of Spain and the Republic of Gambia, done *ad referendum* at Banjul on 9 October 2006 (BOE 310, 28.12.2006).

Provisional application: 8 November 2006.

VIII. NATURAL PERSONS: LEGAL INDIVIDUALITY, CAPACITY AND NAME

IX. FAMILY LAW

– Cooperation Agreement between Romania and Spain regarding the protection of unaccompanied Romanian minors in Spain, their repatriation and prevention of their exploitation, done at Madrid on 15 December 2005 (BOE 195, 16.8.2006).

X. SUCCESSION

XI. CONTRACTS

– Agreement concerning cinematographic relations between the Kingdom of Spain and the Government of Canada done at Madrid on 14 January 1985. Amendments introduced on 10 October 2006 (BOE 296, 12.12.2006).

Entry into force: 10 October 2006.

– Administrative Agreement between Spain and France regarding water management, done at Toulouse on 15 February 2006 (BOE 192, 12.8.2006).

Entry into force: 15 February 2006.

– International Agreement regarding the constitution of an Iberian electrical energy market between the Kingdom of Spain and the Portuguese Republic done at Santiago de Compostela on 1 October 2004 (BOE 121, 22.5.2006).

Entry into force: 10 April 2006.

– Cooperation agreement on tourism between the Government of the Kingdom of Spain and the Government of the Russian Federation, done at Madrid on 9 February 2006 (BOE 250, 19.10.2006).

Entry into force: 24 August 2006.

Renders the Agreement dated 26 October 1996 null and void.

XII. TORTS

– 1996 Protocol concerning the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other matter, 1972, done at London on 7 November 1996 (BOE 77, 31.3.2006).

REVOKES as indicated in the CONVENTION of 29 December 1972.

The PROTOCOL of 7 November 1996 is attached thereto.

Entry into force: 24 March 2006.

– Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, done at London on 15 March 2000. (BOE 201, 23.8.2006)

Entry into force: 14 June 2007.

– Agreement between the Kingdom of Spain and the Principality of Andorra on waste transfer and management, done at Madrid on 17 October 2006 (BOE 292, 7.12.2006).

Provisional application: 17 October 2006.

– Agreement between the Kingdom of Spain and the European Space Agency for the establishment of terrestrial monitoring and data acquisition facilities, including a deep-space antenna at the site in Cebreros (Avila), done at Madrid on 22 July 2003 (BOE 123, 24.5.2006).

Entry into force: 24 April 2006.

XIII. PROPERTY

XIV. COMPETITION LAW

XV. INVESTMENTS AND FOREIGN EXCHANGE

– Agreement for the promotion and reciprocal protection of investments between the Kingdom of Spain and the Federal Republic of Nigeria, done at Abuja on 9 July 2002 (BOE 36, 11.2.2006).

Entry into force: 19 January 2006.

– Agreement between the Government of the Kingdom of Spain and the Government of the Republic of Poland for the establishment and operation of the cultural institutes, done at Warsaw on 30 September 2005 (BOE 172, 20.7.2006).

Entry into force: 1 June 2006.

– Agreement between the Government of the Kingdom of Spain and the Government of the People's Republic of China regarding the establishment of Cultural Centres, done at Madrid on 14 November 2005 (BOE 34, 9.2.2006).

Provisional application: 25 November 2005

Entry into force: 1 October 2006

XVI. FOREIGN TRADE LAW

– Agreement establishing the International Organization for the development of fisheries in Eastern and Central Europe (EUROFISH), done at Copenhagen on 23 May 2000 (BOE 199, 21.8.2006).

Entry into force: 25 April 2006.

XVII. BUSINESS ASSOCIATION. CORPORATION

XVIII. BANKRUPTCY

XIX. TRANSPORT LAW

– Agreement between the Kingdom of Spain and the Republic of Cuba on air transport, done at Havana on 22 April 2005 (BOE 213, 6.9.2006).

Entry into force: 12 July 2006.

– 1999 Protocol amending the Agreement on international carriage by rail (COTIF) of 9 May 1980, done at Vilna on 3 June 1999 (BOE 149, 23.6.2006).

Entry into force: 1 July 2006.

- Maritime transport agreement between the Kingdom of Spain and the Russian Federation, done at Moscow on 22 May 2001 (BOE 26, 31.1.2006).

Entry into force: 17 January 2006.

Note: Renders that laid down in the 30 May 1983 Agreement null and void.

XX. LABOUR LAW AND SOCIAL SECURITY

- Complementary agreement to the Social Security Agreement between the Kingdom of Spain and the Republic of Chile of 28 January 1997, done at Valencia on 14 May 2002 (BOE 177, 26.7.2006).

Entry into force: 14 June 2006.

- Social Security Agreement between the Kingdom of Spain and the Republic of Paraguay, done at Asunción on 24 June 1998 (BOE 28, 2.2.2006).

Entry into force: 1 March 2006.

Note: Revokes the Agreement of 25 June 1959.

Agreement of 2 May 1972.

- Social Security Agreement between the Kingdom of Spain and the Dominican Republic, done at Madrid on 1 July 2004 (BOE 139, 12.6.2006).

Entry into force: 1 July 2006.

- Administrative Agreement for the enforcement of the Social Security Agreement between the Kingdom of Spain and the Federative Republic of Brazil, done at Madrid on 23 November 2005 (BOE 110, 9.5.2006).

Entry into force: 23 November 2005.

XXI. CRIMINAL LAW

- International Convention for the Suppression of Counterfeiting Currency, done at Geneva on 20 April 1929 (published in the Madrid Gazette on 8 March 1931). Notification made by the Kingdom of Spain concerning the designation of a central office pursuant to Articles 12 to 15 of the Convention (BOE 191, 11.8.2006).

- Discretionary Protocol to the Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on 18 December 2002 (BOE 148, 22.6.2006).

Entry into force: 22 June 2006.

XXII. TAX LAW

- Agreement between the Kingdom of Spain and the Islamic Republic of Iran to prevent double taxation and income and wealth tax evasion, done at Teheran on 19 July 2003 (BOE 235, 2.10.2006).

Entry into force: 30 January 2006.

– Agreement between the Kingdom of Spain and the Government of New Zealand to prevent double taxation and income tax evasion and its Protocol, done at Wellington on 28 July 2005 (BOE 243, 11.10.2006).

Entry into force: 31 July 2006.

– Agreement between the Kingdom of Spain and Malta to prevent double taxation and income tax evasion, done at Madrid on 8 November 2005 (BOE 214, 7.9.2006).

Entry into force: 12 September 2006.

– Agreement between the Kingdom of Spain and the Arab Republic of Egypt to prevent double taxation and income and wealth tax evasion, done at Madrid on 10 June 2005 (BOE 164, 11.7.2006).

Entry into force: 28 May 2006.

– Agreement between the Kingdom of Spain and the Republic of Croatia to prevent double taxation and income and wealth tax evasion, done at Zagreb on 19 May 2005 (BOE 122 de 23.5.2006 and correction of errors BOE 76, 29.3.2007).

Entry into force: 20 April 2006.

– Agreement between the Kingdom of Spain and the Socialist Republic of Vietnam to prevent double taxation and income tax evasion, done at Hanoi on 7 March 2005 (BOE 8, 10.1.2006 and correction of errors BOE 81, 4.4.2007).

Entry into force: 22 December 2005.