

# *Treaties to which Spain is a Party Concerning Matters of Public International Law, 1997*

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The survey includes the treaties covered by Art. 2.1.a) of the Vienna Convention on the Law on 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. European Citizenship**

– Protocol, signed in Bonn on 25 June 1991, on accession of the Government of the Kingdom of Spain to the Agreement between the Benelux Economic Union,

the Federal Republic of Germany and the French Republic on gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocol on accession by the Government of the Italian Republic, signed in Paris on 27 November 1990 (BOE 62, 13.3.97).

*Instrument of ratification:* 23 July 1993.

*Entry into force:* 1 May 1995.

– Protocol of 26 April 1994 on the consequences of the entry into force of the Dublin Convention on some dispositions of the Convention implementing the Schengen Agreement (BOE 163, 9.7.97).

*Instrument of ratification:* 24 November 1995.

*Entry into force:* 1 August 1997.

– Agreement, signed in Madrid on 6 November 1992, on accession of the Hellenic Republic to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, on the gradual abolition of controls at their common borders, to which have acceded the Italian Republic under the Agreement signed in Paris on 27 November 1990 and the Kingdom of Spain and the Portuguese Republic under the Agreements signed in Bonn on 25 June 1991 (BOE 296, 11.12.97).

*Instrument of ratification:* 4 February 1994.

*Entry into force:* 1 December 1997.

– Protocol, signed in Madrid on 6 November 1992, on accession of the Government of the Hellenic Republic to the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocols of accession by the Government of the Italian Republic, signed in Paris on 27 November 1990, and by the Governments of the Kingdom of Spain and the Portuguese Republic, signed in Bonn on 25 June 1991. (BOE 296, 11.12.97).

*Instrument of ratification:* 23 February 1994.

*Provisional application:* 7 November 1992.

*Definitive entry into force:* 1 December 1997.

– Agreement, signed in Brussels on 28 April 1995, on accession of the Republic of Austria to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, on the gradual abolition of controls at their common borders, to which have acceded the Italian Republic under the Agreement signed in Paris

on 27 November 1990 and the Kingdom of Spain and the Portuguese Republic under the Agreements signed in Bonn on 25 June 1991, signed respectively on 27 November 1990, 25 June 1991 and 6 November 1992 (BOE 296, 11.12.97).

*Instrument of ratification:* 24 April 1997.

*Entry into force:* 1 December 1997.

– Protocol, signed in Brussels on 28 April 1995 on accession of the Republic of Austria to the Convention implementing the Schengen Agreement of 14 June 1985 among the States of the Benelux Economic Union, the Federal Republic of Germany and the Republic of France, on the gradual abolition of controls at their common borders, signed in Schengen on 19 June 1990, as Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocols of accession by the Government of the Italian Republic, the Kingdom of Spain and the Portuguese Republic, and the Hellenic Republic, signed on 27 November 1990, 25 June 1991 and 6 November 1992 respectively (BOE 296, 11.12.97).

*Instrument of ratification:* 24 April 1997.

*Entry into force:* 1 December 1997.

## **2. Aliens**

– Agreement between the Republic of Bulgaria and the Kingdom of Spain concerning the readmission of persons in irregular situations, signed in Sofia 16 December 1996 (BOE 51, 28.2.97).

*Provisional application:* 15 January 1997.

*Entry into force:* 3 September 1997 (BOE 231, 26.9.97).

– Announcement made on 19 June 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force of the Exchange of Notes constituting an Agreement between Spain and Hungary, for the admission of Spanish nationals into Hungary with a national identity card, signed in Madrid on 28 November 1996 (BOE 153, 27.6.97).

*Entry into force:* 7 June 1997.

– Announcement of 22 August 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force of the Agreement of 6 February 1996, between the Kingdom of Spain and the Kingdom of Morocco, concerning residence and labour permits (BOE 211, 3.9.97).

*Entry into force:* 6 February 1996.

- Convention relating to the Status of Stateless Persons, signed in New York 28 September 1954 (*BOE* 159, 4.7.97).

*Instrument of accession:* 24 April 1997.

*Entry into force for Spain:* 10 August 1997.

*Note:* With the following Declaration:

“The Government of the Kingdom of Spain poses a reservation to Art. 29, paragraph 1, and considers itself bound by the provisions of that paragraph only in the case of stateless persons residing in the territory of any of the Contracting States”.

- Agreement on the designation of the State responsible for reviewing requests for asylum to a Member State of the European Communities signed in Dublin on 15 June 1990 and Act from the Conference of Ministers responsible for immigration in Member States of the European Communities signed in Dublin on 16 June 1990 (*BOE* 183, 1.8.97).

*Instrument of ratification:* 27 March 1995.

*Entry into force:* 1 September 1997.

*Note:* With the following Declaration:

“The Kingdom of Spain states that if, in accordance with Art. 19 of the Agreement, the United Kingdom chooses to extend its application to Gibraltar, that application will be allowed without prejudice to Spain’s position with regard to the litigation opposing United Kingdom’s sovereignty over the isthmus.”

- Derogations to the Convention on Temporary Admission, signed in Istanbul 26 June 1990 (*BOE* 246, 14.10.97).

*Instrument of ratification:* 24 April 1995.

- Announcement of 16 September 1997 by the Technical Secretariat-General of the Spanish Foreign Office, establishing the entry into force of the Agreement of 16 December 1996, between the Kingdom of Spain and the Republic of Bulgaria, on readmission of persons in irregular situations (*BOE* 231, 26.9.97).

*Entry into force:* 16 December 1996 (*BOE* 51, 28.2.97).

## VI. ORGANS OF THE STATE

### 1. Diplomatic Relations

- Announcement of 16 September 1997 by the Technical Secretariat-General of the Spanish Foreign Office on the entry into force of the Exchange of Notes of 16 December 1996, constituting an agreement between the Kingdom of Spain and the Republic of Tunisia on the abolition of visas in diplomatic passports (*BOE* 51, 28.2.97).

*Provisional application:* 27 December 1996

*Definitive entry into force:* 31 August 1997 (BOE 231, 26.9.97).

– Exchange of Notes of 16 December 1996 between the Kingdom of Spain and the Republic of Bulgaria on the abolition of visas in diplomatic passports (BOE 51, 28.2.97).

*Provisional application:* 26 December 1996.

*Definitive entry into force:* 31 August 1997 (BOE 231, 26.9.97).

– Exchange of Notes in Madrid on 27 December 1996, between the Spanish Foreign Office and the Embassy of the Republic of Tunisia in Madrid, constituting an agreement between the Kingdom of Spain and the Republic of Tunisia on the abolition of visas in diplomatic passports. (BOE 60, 11.3.97).

*Provisional application:* 27 December 1996.

*Definitive entry into force:* 28 July 1997 (BOE 231, 26.9.97).

– Announcement of 16 September 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force of the Exchange of Notes of 16 December 1996, constituting an agreement, between the Kingdom of Spain and the Republic of Bulgaria on the suppression of visa requirements for persons in possession of valid diplomatic passports (BOE 231, 26.9.97).

*Entry into force:* 31 August 1997.

– Exchange of Notes of 15 and 16 July 1997 between the Kingdom of Spain and the Kingdom of Morocco, establishing an agreement on suppression of visa requirements in diplomatic passports (BOE 231, 26.9.97).

*Provisional application:* 16 July 1997.

## **2. Relations with International Organisations**

– Third Additional Protocol to the General Agreement on Privileges and Immunities of the Council of Europe and to the Statute which modifies the Social Development Fund of the Council of Europe, signed in Strasbourg on 6 March 1959 (BOE 8, 9.1.97 and 39, 14.2.97).

*Instrument of accession:* 28 November 1996.

*Entry into force for Spain:* 16 December 1996.

*Note:* The following reservation is included in the accession instrument:

“The Government of the Kingdom of Spain, with regard to Paragraph 4, Section a) Art. 7, declares its reservations with this precept because it is not incumbent upon Spain to grant the mentioned exemption regarding interest on loans rendered or loans granted by the Fund.

The Government of the Kingdom of Spain declares that the competent authority in regard to Art. 3 of the Additional Protocol is the Council of Ministers”.

– Agreement on the Status of Missions and Representatives of Third States to the North Atlantic Treaty Organisation, signed in Brussels 14 September 1994 (BOE 107, 5.5.97).

*Instrument of ratification:* 17 January 1996.

*Entry into force:* 28 March 1997.

– Agreement between the Governments of the Kingdom of Spain and the People's Republic of China, on the continuance of the General Consulate of Spain in the Hong Kong Special Administrative Region of the People's Republic of China, signed in Madrid 18 June 1997 (BOE 155, 30.6.97).

*Entry into force:* 1 July 1997.

## VII. TERRITORY

### 1. Frontiers

– Treaty between the Kingdom of Spain and the Republic of France on Trans-frontier Cooperation between territorial authorities, signed in Bayonne on 10 March 1995 (BOE 59, 10.3.97).

*Entry into force:* 24 February 1997.

*Note:* Mindful of the European Outline Convention on Trans-frontier Cooperation between territorial communities or authorities, signed in Madrid, on 21 May 1980, this Spanish-French Treaty attempts to establish the legal framework needed to apply the principles contained in the Council of Europe Convention.

– Convention between the Kingdom of Spain and the Portuguese Republic on the construction of an international bridge over the Agueda River between the towns of Fregeneda (Spain) and Barca D'Alva (Portugal), signed on 18 January 1996 (BOE 66, 18.3.97).

*Entry into force:* 28 February 1997.

– Announcement made on 19 March 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force on 4 February 1997 of the Agreement between the Kingdom of Spain and the Republic of France on the creation of complementary national border control offices at common frontiers, made in Paris 3 June 1996 (BOE 80, 3.4.97).

## VIII. SEAS, WATERWAYS, SHIPS

### 1. Law of the Sea

– Agreement relating to the implementation by the Kingdom of Spain of Part XI of the United Nations Convention on the Law of the Sea, signed in New York, 28 July 1994 (*BOE* 38, 13.2.97).

*Provisional application*: 16 November 1994.

*Instrument of ratification*: 20 December 1996.

*Definitive entry into force*: 14 February 1997.

– United Nations Convention on the Law of the Sea, signed in Montego Bay on 10 December 1982 (*BOE* 39, 14.2.97).

*Instrument of ratification*: 20 December 1996.

*Entry into force for Spain*: 14 February 1997.

*Note*: The following declarations are included in the ratification instrument:

“1. The Kingdom of Spain notes that, as a member of the European Union, it has transferred competence to the European Community with regard to certain matters governed by the Convention. In due course, it will make a declaration specifying the nature and extent of the competence transferred to the European Community in conformity with the provisions of annex IX to Convention.

2. In ratifying the Convention, Spain declares that this act cannot be interpreted as recognition of any rights or situations relating to those maritime spaces of Gibraltar not covered by Art. 10 of the Treaty of Utrecht of 13 July 1713 between the Kingdoms of Spain and Great Britain. Spain also considers that Resolution III of the Third United Nations Conference on the Law of the Sea does not apply to the case of the colony of Gibraltar, which is subject to a process of decolonisation in which only the relevant resolutions adopted by the General Assembly of the United Nations are applicable.

3. Spain is of the understanding that:

- (a) The regime established in Part III of the Convention is compatible with the right of the bordering State to enact and enforce, in straits used for international navigation, its own regulations provided that such regulations do not interfere with the right of transit.
- (b) In Art. 39, paragraph 3 (a), the word “normally” means “except for *force majeure* or serious difficulty”.
- (c) The provisions of Art. 221 do not deprive the State bordering a strait used for international navigation of the competences granted to it under international law with respect to intervention in cases of such casualties as are referred to in the above-mentioned article.

4. Spain interprets:

- (a) Articles 69 and 70 of the Convention to mean that fishing rights in the exclusive economic zone of third States by the fleets of developed States

which are land-locked or geographically disadvantaged is conditional upon whether the coastal States in question have previously facilitated such access to the fleets of the States which had customarily fished in the exclusive economic zone in question.

- (b) Art. 297, without prejudice to its provisions relating to the settlement of disputes, is taken to mean that, under articles 56, 61 and 62 of the Convention, the powers of the coastal State for determining the allowable catch, its harvesting capacity and the allocation of surpluses to other States may not be considered as discretionary.

5. The provisions of Art. 9 of annex III shall not constitute an obstacle to the participation of Party States whose industrial potential may not permit them to participate directly as contractors in the exploitation and resources of the Area in the joint ventures referred to in paragraph 2 of that article.

6. In accordance with the provisions of paragraph 1 of Art. 287, Spain chooses the International Court of Justice as the means for the settlement of disputes concerning the interpretation or application of this Convention”.

## 2. Fisheries

– Announcement made on 10 June 1997 by the Spanish Foreign Office, on the amendments of the Annex to the International Convention for the regulation of whale fishing of 1946 (*BOE* 147, 20.6.97).

*Entry into force:* 2 October 1996.

– Recommendations of the International Commission for the Conservation of Atlantic Tuna (ICCAT) to the International Convention for the Conservation of Atlantic Tuna, relating to the management and conservation of tuna and similar species in the Atlantic Ocean and the Mediterranean Sea (*BOE* 207, 29.8.97 and 238, 4.10.97).

*Entry into force:* The Recommendation adopted by the IX Extraordinary Meeting of the Commission entered into force on 2 October 1995. The Recommendation adopted by the X Extraordinary Meeting of the Commission entered into force on 4 August 1997.

## IX. INTERNATIONAL SPACES

### 1. Space

– Exchange of Notes in Madrid 17 and 24 January 1997, between the Embassy of the United States of America and the Spanish Foreign Office, extending the Agreement on scientific and technical cooperation regarding lunar and planetary exploration programmes and of manned and unmanned space flights, by the establishment of a monitoring and data gathering station in Spain, subscribed to



on 29 January 1964, broadened on 11 October 1965, and extended through an Exchange of Notes on 25 June 1969, 1 February and 2 May 1983, 25 and 26 January 1994, 26 December 1995 and 22 January 1996 (BOE 153, 27.6.97).

*Provisional application:* 29 January 1997.

*Definitive entry into force:* 4 December 1997 (BOE 25, 29.1.98).

– Announcement made on 1 August 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the amendments of the Operating Agreement concerning the International Telecommunications Satellite Organisation (INTELSAT), adopted at the 25th meeting of Party States, held in Singapore from 4–7 April 1995 (BOE 200, 21.8.97).

*Entry into force:* 11 September 1996.

– Announcement made on 10 November 1997, by the Spanish Foreign Office, of the Amendment to Art. XVII, paragraph f), of the Agreement concerning the International Telecommunication Satellite Organisation “Intelsat”, adopted by the XX Assembly of Party states in Copenhagen, on 31 August 1995 (BOE 276, 18.11.97).

*Entry into force:* 16 October 1996.

## **X. ENVIRONMENT**

### **1. General**

– United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, signed in Paris on 17 June 1994 (BOE 36, 11.2.97).

*Instrument of ratification:* 15 January 1996.

*Entry into force:* 26 December 1996.

– Convention 25 February 1991, ratified by instrument of ratification 1 September 1992, on Environmental Impact Assessment in a Trans-frontier Context, signed in Espoo (Finland), on 25 February 1991 (BOE 261, 31.10.97).

*Entry into force:* 10 September 1997.

### **2. Seas**

– Amendments of 20 October 1995 to Art. 5.3 of the International Convention on the Establishment of an International Compensation Fund for Oil Pollution Damage, 18 December 1971 (BOE 115, 14.5.97).

*Entry into force:* 1 May 1996.

– Announcement made on 11 July 1997, by the Technical Secretariat-General of

the Spanish Foreign Office, denouncing the International Convention on Civil Liability for Oil Pollution Damage, concluded in Brussels on 29 November 1969, and the International Convention on the Establishment of an International Compensation Fund for Oil Pollution Damage, signed in Brussels on 18 December 1971 (*BOE* 176, 14.7.97).

*Note:* These Agreements were in force in Spain from 7 March 1976 and 6 January 1982 respectively. The claim takes effect in Spain as of 15 May 1998 in accordance with Art. 31 of the 1992 Protocol amending this 1971 international Agreement.

– Resolution MEPC.65/(37) of the Marine Environment Protection Committee adopted on 14 September 1995, approving Amendments to the Annex of the 1978 Protocol to the International Convention of 2 November 1973 for the Prevention of Pollution from Ships (MARPOL 73/78) (*BOE* 178, 26.7.97).

*Entry into force:* 1 July 1997.

– Accession of Spain to the Protocol of 27 November 1992, amending the International Convention on the constitution of an International Compensation Fund for damages to seas and beaches from oil spills (*BOE* 244, 11.10.97).

*Entry into force:* 16 May 1998.

*Note:* Spain made the following statement:

“In accordance with Protocol Art. 30, point 4, Spain declares that its accession will not take effect with regard to Art. 30.4 until the end of the six-month period stipulated in Protocol Art. 31.

– Amendments to Convention Art. 5.3 of 25 October 1996 on constitution of an International Compensation Fund for damages to seas and beaches from oil spills (*BOE* 255, 24.10.97).

*Entry into force:* 1 May 1997.

### 3. Air

– Protocol of 18 November 1991, ratified by instrument on 25 January 1994, amending the Convention of 13 November 1979 on far-reaching trans-boundary atmospheric pollution relating to the fight on emissions containing volatile organic compounds or their trans-boundary consequences, signed in Geneva on 18 November 1991 (*BOE* 225, 19.9.97)

*Entry into force:* 29 September 1997.

### 4. Fauna and flora

– Amendment to Annex I of the Convention on the Conservation of European Wildlife and Natural Habitats of 19 September 1979, adopted 3 December 1993, defining the list of species to be included in Annex 1 of that Convention (*BOE* 121, 21.5.97).

*Entry into force:* 3 March 1994.

## **XI. LEGAL ASPECTS OF INTERNATIONAL COOPERATION**

### **1. General Treaties**

– Treaty of Friendship, Good Neighbour and Cooperation between the Kingdom of Spain and the Republic of Tunisia, signed in Tunis on 26 October 1995 (*BOE* 8, 9.1.97).

*Entry into force:* 17 January 1997.

*Note:* This Treaty, in an extensive preamble, established the general principles which must guide their mutual relations (international legality, sovereign equality, non-intervention in internal affairs, refraining from the threat or use of force, peaceful settlement of disputes, cooperation in the area of development, respect for human rights and the fundamental freedoms of all people and for communication and understanding between cultures and civilisations) and includes provisions which regulate bilateral political relations, economic and financial cooperation, cultural, legal and consular cooperation, and establishment of specific cooperation programmes.

– Cooperation Convention within the framework of the Latin-American Conference signed “ad referendum” in San Carlos de Bariloche (Argentina) on 15 October 1995 (*BOE* 80, 3.4.97).

*Instrument of ratification:* 24 January 1997.

*Entry into force for Spain:* 11 March 1997.

– Announcement of 22 July 1997, by the Technical Secretariat-General of the Spanish Foreign Office, of the operations manual, Annex to the Cooperation Convention within the framework of the Latin-American Conference (*BOE* 228, 23.9.97).

*Note:* That announcement also establishes and regulates the coordination commission and parties responsible for cooperation within the framework of the Latin-American Conference of Heads of State.

– Resolution issued on 2 October 1997 by the Technical Secretariat-General of the Spanish Foreign Office making public the 6 June 1997 verbal note putting an end to the provisional application of the Cooperation Agreement between the Kingdom of Spain and the Republic of Cameroon (*BOE* 243, 10.10.97).

*Note:* The note states that the Agreement will cease to be in force as of 9 October 1997.

– Treaty of Friendship and Cooperation between the Kingdom of Spain and the

Republic of the Ukraine, signed in Madrid on 8 October 1996 (*BOE* 252, 21.10.97).

*Entry into force:* 20 August 1997.

*Note:* The Treaty highlights the idea of a wide array of economic cooperation with a view to contributing to the preservation of peace and security in Europe.

## **2. Scientific and Technical Cooperation**

– Announcement made on 28 January 1997 by the Technical Secretariat-General of the Spanish Foreign Office on the entry into force on 2 January 1997 of the General Complementary Agreement of the Basic Convention on Scientific and Technical Cooperation, between the Kingdom of Spain and the Republic of El Salvador, signed “ad referendum” in San Salvador, 14 February 1995 (*BOE* 34, 8.2.97).

– Convention between the Kingdom of Spain and the Arab Republic of Syria on Scientific, Technical, Cultural and Educational Cooperation, signed in Madrid, 17 May 1995 (*BOE* 56, 6.3.97).

*Entry into force:* 13 February 1997.

*Note:* Abolishes the Convention signed on 6 March 1971.

– Agreement for the creation of a National Meteorological Services Conference in Europe (EUMETNET), signed in Reading 4 December 1995 (*BOE* 147, 20.6.97).

*Instrument of ratification:* 21 March 1997.

*Entry into force for Spain:* 11 April 1997.

## **3. Cultural Cooperation**

– Announcement made on 24 February 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force on 3 January 1997 of the Agreement between the Kingdom of Spain and the Republic of Bulgaria, on the legal regime and conditions for cultural centre activities signed in Sofia 5 September 1995 (*BOE* 56, 6.3.97).

– Announcement made on 27 May 1997 by the Technical Secretariat-General of the Spanish Foreign Office on the entry into force on 2 April 1997 of the Agreement by which the Government of the Kingdom of Morocco furnishes the Government of the Kingdom of Spain with a building to be used as a school centre, signed in Rabat on 6 February 1996 (*BOE* 135, 6.6.97).

*Entry into force:* 2 April 1997.

– Convention on Educational and Cultural Cooperation between the Government of the Kingdom of Spain and the Government of the Ukraine, signed in

Madrid 7 October 1996 (*BOE* 200, 21.8.97).

*Entry into force:* 13 January 1997.

#### **4. Economic Cooperation**

– Food Aid Convention signed in London on 5 December 1994 and modified on 13 March 1995, signed by Spain on 29 June 1995 (*BOE* 99, 25.4.97).

*Instrument of ratification:* 15 January 1996.

*Entry into force for Spain:* 1 July 1995.

– Announcement made on 2 July 1997, by the Technical Secretariat-General of the Spanish Foreign Office, on the entry into force on 30 May 1997 of the Economic and Industrial Cooperation Agreement between the Kingdom of Spain and the Republic of Turkey, signed in Ankara 6 February 1992 (*BOE* 168, 15.7.97).

– Agreement between the Kingdom of Spain and the Republic of Tunisia on Tourism cooperation, signed in Tunis on 10 June 1997 (*BOE* 247, 15.10.97).

*Entry into force:* 26 September 1997.

– Agreement between the Kingdom of Spain and the Republic of Kazakhstan on economic and industrial cooperation, signed in Madrid, 23 March 1994 (*BOE* 261, 31.10.97).

*Entry into force:* 6 October 1997.

– Agreement between the Kingdom of Spain and the Argentine Republic, on Economic and Financial Cooperation, signed in Buenos Aires on 18 October 1995 (*BOE* 295, 10.12.97).

*Entry into force:* 17 November 1997.

#### **5. Commodities Cooperation**

– International Natural Rubber Agreement signed in Geneva on 17 February 1995 (*BOE* 69, 21.3.97).

*Provisional application:* 6 February 1997.

*Instrument of ratification:* 20 December 1996.

*Definitive entry into force:* 14 February 1997 (*BOE* 111, 9.5.97).

– Announcement made on 23 April 1997 by the Technical Secretariat-General of the Spanish Foreign Office on the extension of the International Jute Agreement until 11 April 2000 (*BOE* 109, 7.5.97).

*Entry into force:* 12 April 1998.

## 6. Financial and Tax Cooperation

– Agreement between the Kingdom of Spain and the Republic of Paraguay for the Mutual Protection and Promotion of Investments, signed in Asuncion on 11 October 1993 (*BOE* 8, 9.1.97).

*Entry into force:* 22 November 1996.

– Agreement between the Government of the Kingdom of Spain and the Government of the Republic of Indonesia for the Mutual Protection and Promotion of Investments, signed in Jakarta on 30 May 1995 (*BOE* 31, 5.2.97 and 98, 24.4.97).

*Entry into force:* 18 December 1996.

– Agreement between the Kingdom of Spain and the United States of Mexico on the Mutual Promotion and Protection of Investments, signed in Mexico on 23 June 1995 (*BOE* 32, 6.2.97 and 98, 24.4.97).

*Entry into force:* 18 December 1996.

– Agreement between the Kingdom of Spain and the Lebanese Republic for the Mutual Promotion and Protection of Investments, signed in Madrid on 22 February 1996 (*BOE* 122, 22.5.97).

*Entry into force:* 29 April 1997.

– Agreement between the Kingdom of Spain and the Republic of Latvia for the Mutual Promotion and Protection of Investments, signed in Madrid on 26 October 1996 (*BOE* 134, 5.6.97).

*Entry into force:* 14 March 1997.

– Convention and Annex Protocol between the Kingdom of Spain and the Republic of France for the avoidance of double taxation and the prevention of tax evasion and fraud in relation to taxes on income and capital, signed in Madrid on 10 October 1995 (*BOE* 140, 12.6.97).

*Entry into force:* 1 July 1997.

– Agreement between the Kingdom of Spain and the Republic of Venezuela on Promotion and mutual protection of Investments, signed in Caracas on 2 November 1995 (*BOE* 245, 13.10.97).

*Entry into force:* 10 September 1997.

## 7. Road Traffic and Transport

– Announcement made on 7 January 1997 by the Technical Secretariat-General of the Spanish Foreign Office, regarding Amendments proposed by the Federal Republic of Germany, Sweden and the European Community to annexes 1, 4

and 6 of the Customs Convention on the International Transport of Goods under Cover of TIR cards, dated 14 November 1975, circulated on 5 April 1995 (BOE 14, 16.1.97).

*Entry into force:* 1 August 1995.

– Regulation n. 57 on uniform provisions concerning the harmonisation of headlamps for mopeds and vehicles treated as such; annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonisation of equipment and motor vehicle parts (BOE 45, 21.2.97).

*Entry into force:* 2 February 1997.

– Regulation n. 40 on uniform provisions concerning the harmonisation of combustion engine motorcycles and exhaust emissions; annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonisation of equipment and motor vehicle parts (BOE 46, 22.2.97).

*Entry into force for Spain:* 2 February 1997.

– Announcement made on 25 February 1997 by the Technical Secretariat-General of the Spanish Foreign Office, notifying of Amendments proposed by Italy to Annex 1 of the Agreement on the International Transport of Perishable Foodstuffs and on special equipment used for such transport (ATP), signed in Geneva on 1 September 1970 (BOE 56, 6.3.97 and 141, 13.6.1997).

*Entry into force:* 22 February 1996.

– Regulation n. 49 on uniform provisions concerning the harmonisation of diesel motors and vehicles powered by diesel motors with regard to exhaust emissions; annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonisation of equipment and motor vehicle parts (BOE 80, 3.4.97).

*Entry into force for Spain:* 2 February 1997.

– Agreement between the Kingdom of Spain and the Republic of Estonia, concerning international road transport, signed in Tallinn on 28 February 1997 (BOE 125, 26.5.97).

*Provisional application:* 28 February 1997.

– Consolidated text of the European Agreement concerning the International Carriage of Dangerous Goods by Road, 30 September 1957 (ADR) (BOE 138, 10.6.97, special supplement).

*Entry into force:* 1 January 1997.

– Announcement made on 15 July 1997 by the Technical Secretariat-General of the Spanish Foreign Office on the Amendments proposed by Germany to Annex 1 of the Agreement on the International Transport of Perishable Foodstuffs and

on special equipment used for such transport (ATP), signed in Geneva 1 September 1970 (*BOE* 177, 25.7.97).

*Entry into force:* 12 July 1997.

– Announcement of 4 September 1997 by the Technical Secretariat-General of the Spanish Foreign Office regarding the amendments proposed by Portugal to Annexes A and B to the European Agreement on International Road Carriage of Dangerous Goods (*BOE* 224, 18.9.97).

*Entry into force:* 30 June 1997.

– European Agreement on International Road Carriage of Dangerous Goods, signed in Geneva on 30 September 1957 (*BOE* 274, 15.11.97).

## 8. Rail Traffic and Transport

– Modifications of the Statute of Eurofima, European Company for the financing of railway equipment, 27 March 1992, 17 March 1993, 15 December 1993 and 14 December 1994 (*BOE* 41, 17.2.97).

– Dispositions, 26 November 1993, supplementary to the international contracts corresponding to the transport of passengers and goods, appendixes A and B of the Convention on International Transports by Train (*COTIF*), 9 May 1980 (*BOE* 135, 6.6.97).

*Entry into force:* 1 January 1995.

– Announcement made on 10 June 1997 by the Technical Secretariat-General of the Spanish Foreign Office, on the amendments of the Statute 20 November 1956 of “Eurofima, European Company for the financing of railway equipment” (*BOE* 147, 20.6.97).

*Entry into force:* 5 December 1996.

## 9. Sea Traffic and Transport

– Announcement made 2 April 1997 by the Technical Secretariat-General of the Spanish Foreign Office, amending errors in Amendments 11 December 1992 to the International Code regarding the construction and equipping of vessels that transport bulk liquid gases in accordance with Art. VIII b) of the International Convention for the Safety of Life at Sea, 1974 (*BOE* 90, 15.4.97).

*Note:* Publishing the Act of the Secretary-General of the International Maritime Organisation.

– Amendments of 23 April 1997 to the International Convention on training, certification and watch-keeping standards for seafarers, 7 July 1978 (*BOE* 120, 20.5.97).



*Entry into force:* 1 February 1997 (except for Finland, in accordance with Art. XII.1).a).ix) of the Convention).

– Amendments of 29 November 1995 to the Annex of the International Convention for the Safety of Life at Sea, 11 November 1974 (*BOE* 138, 10.6.97).  
*Entry into force:* 1 July 1997.

– International Maritime Dangerous Goods Code (Code IMDG), in accordance with Chapter VII of the International Convention for the Safety of Life at Sea (SOLAS), signed in London on 1 November 1974, consolidated text of 1996 incorporating all amendments up to 28–96 applicable as of 1 January 1997 (*BOE* 168, 15.7.97, special supplement and 236, 2.10.1997).

– Amendments to Annex I (new chapters X and XI) of the International Convention, 11 November 1974, for the Safety of Life at Sea (*BOE* 295, 10.12.97).

*Entry into force:* 1 January 1996.

## **10. Air Traffic and Transport**

– Agreement on Air Transport between the Kingdom of Spain and the Republic of El Salvador, signed on 10 March 1997 (*BOE* 98, 24.4.97).

*Provisional application:* 10 March 1997.

– Additional Protocol n. 1, signed in Montreal 25 September 1975, amending the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed in Warsaw 12 October 1929 (*BOE* 147, 20.6.97).

*Instrument of ratification:* 20 December 1984.

*Entry into force:* 15 February 1996.

– Additional Protocol n. 2, signed in Montreal 25 September 1975, to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed in Warsaw 12 October 1929, amended by Protocol signed at The Hague 28 September 1955 (*BOE* 147, 20.6.97).

*Instrument of ratification:* 20 December 1984.

*Entry into force:* 15 February 1996.

– International Convention relating to cooperation for the safety of air navigation “Eurocontrol”, signed in Brussels 13 December 1960 (*BOE* 152, 26.6.97).

*Instrument of accession:* 26 November 1996.

*Entry into force:* 1 January 1997.

– Additional Protocol to the International Convention relating to cooperation

for the safety of air navigation "Eurocontrol", signed in Brussels 6 July 1970 (*BOE* 152, 26.6.97).

*Instrument of accession:* 26 November 1996.

*Entry into force:* 1 January 1997.

– Protocol modifying the Additional Protocol to the International Convention relating to cooperation for the safety of air navigation "Eurocontrol" 6 July 1970, signed in Brussels 21 November 1978 (*BOE* 152, 26.6.97).

*Instrument of accession:* 26 November 1996.

*Entry into force:* 1 January 1997.

– Amendment Protocol to the International Convention of Eurocontrol for cooperation in the safety of air navigation 13 December 1960, signed in Brussels 12 February 1981.

*Instrument of accession:* 26 November 1996 (*BOE* 152, 26.6.97).

*Entry into force:* 1 January 1997.

– Protocol on the application of certain provisions of the Convention of Eurocontrol as relate to defence, signed in Brussels 13 December 1960.

*Instrument of accession:* 26 November 1996 (*BOE* 152, 26.6.97).

*Entry into force:* 1 January 1997.

– Multilateral Agreement on the protection of classified material "Eurocontrol", signed in Brussels 18 November 1969 (*BOE* 152, 26.6.97).

*Instrument of accession:* 26 November 1996.

*Entry into force:* 1 January 1997.

– Agreement between the Kingdom of Spain and the Republic of Croatia on Air transport, signed in Madrid, 21 July 1997 (*BOE* 255, 24.10.97 and 284, 27.11.97).

*Provisional application:* As of the date of signature, 21 July 1997.

## 11. Labour, Social Security and Emigration

– Protocol to the Convention on Social Security between Spain and Canada, signed in Madrid 10 November 1986, signed in Ottawa 19 October 1995 (*BOE* 34, 8.2.97).

*Entry into force:* 1 May 1997.

– Amendments of 9 June 1995 to the European Convention on Social Security and the complementary Agreement for its application, 14 December 1972 (*BOE* 116, 15.5.97).

*Entry into force:* 9 September 1995.

## **12. Industrial and Intellectual Property**

– Decisions by the Permanent International Commission on Firearms Testing, adopted at its XXIII Plenary June 1994, on the Agreement and Regulations signed in Brussels, 1 July 1969, for the reciprocal recognition of test pieces for portable firearms (*BOE* 15, 17.1.97 and 20, 23.1.97).

*Entry into force:* 1 September 1995.

– General Regulation concerning Madrid Arrangement for International Trademark Registration and the Arrangement Protocol signed in Madrid 18 January 1996 (*BOE* 58, 8.3.97).

*Entry into force:* 1 April 1996.

– Revision Act of Art. 63 of the European Patent Agreement of 1973 signed in Munich 17 December 1991 (*BOE* 134, 5.6.97).

*Instrument of ratification:* 21 March 1997.

*Entry into force:* 4 July 1997.

## **13. Civil and Criminal Cooperation**

– Agreement between the Governments of France and Spain on the Application of the Convention of The Hague dated 15 November 1965, relative to the notification or transfer abroad of judicial and extra-judicial civil or trade documents signed in Brussels, 29 November 1996 (*BOE* 51, 28.2.97).

*Entry into force:* 1 January 1997.

– Convention between the Kingdom of Spain and the Republic of Ecuador on the enforcement of penal sentences signed in Quito 25 August 1995 (*BOE* 72, 25.3.97).

*Instrument of ratification:* 7 January 1997.

*Entry into force:* 10 March 1997.

– Treaty of Extradition between the Kingdom of Spain and the Eastern Republic of Uruguay, signed in Madrid, 28 February 1996 (*BOE* 93, 18.4.97).

*Instrument of ratification:* 7 January 1997.

*Entry into force:* 19 April 1997.

– Declaration made on 5 May 1997 by the Spanish Foreign Office of Spain's acceptance of the accession of Latvia, Estonia and Poland to the Agreement on the obtaining of evidence abroad in civil or trade issues, 18 March 1970 (*BOE* 116, 15.5.97).

*Entry into force:* 25 May 1997.

– Declaration made on 5 May 1997 by the Technical Secretariat-General of the Spanish Foreign Office, of acceptance of the accession of Honduras, Saint Kitts

and Nevis, Cyprus, Zimbabwe and Colombia to the Convention on the Civil Aspects of the International Child Abduction, signed at The Hague 25 October 1980 (BOE 116, 15.5.97).

*Entry into force:* 1 June 1997.

– Convention between the Kingdom of Spain and the Republic of Nicaragua for the enforcement of penal sentences signed in Managua 18 February 1995 (BOE 140, 12.6.97).

*Entry into force:* 15 May 1997.

– Convention between the Kingdom of Spain and the Kingdom of Morocco on legal aid for arrested suspects and transfer of convicts, signed in Madrid 30 May 1997 (BOE 145, 18.6.97).

*Provisional application:* 30 May 1997.

*Definitive entry into force:* 1 July 1999 (BOE 151, 25.6.99).

– Convention on judicial assistance in criminal matters between the Kingdom of Spain and the Kingdom of Morocco, signed in Madrid 30 May 1997 (BOE 150, 24.6.97).

*Provisional application:* 30 May 1997.

– Convention between the Kingdom of Spain and the Kingdom of Morocco on judicial assistance, recognition of judicial resolutions with regard to custody and visitation rights and return of minors, signed in Madrid 30 May 1997 (BOE 150, 24.6.97).

*Provisional application:* 30 May 1997.

*Definitive entry into force:* 1 July 1999 (BOE 151, 25.6.99).

– Convention between the Kingdom of Spain and the Union of Soviet Socialist Republics on judicial assistance in civil matters, signed in Madrid 26 October 1990 (BOE 151, 25.6.97).

*Instrument of ratification:* 20 November 1996.

*Entry into force:* 22 July 1997.

– Convention on judicial cooperation in civil, commercial and administrative matters, between the Kingdom of Spain and the Kingdom of Morocco, signed in Madrid 30 May 1997 (BOE 151, 25.6.97).

*Provisional application:* 30 May 1997.

*Definitive entry into force:* 1 July 1999 (BOE 151, 25.6.99).

– Convention on extradition between the Kingdom of Spain and the Kingdom of Morocco, signed in Madrid 30 May 1997 (BOE 151, 25 June 1997).

*Provisional application:* 30 May 1997.

*Definitive entry into force:* 1 July 1999 (BOE 151, 25.6.99).

– Treaty between the Kingdom of Spain and the Republic of Panama on transfer of convicts, signed in Madrid 20 March 1996 (*BOE* 153, 17.6.97).

*Instrument of ratification:* 19 December 1996.

*Entry into force:* 29 June 1997.

– Treaty on Extradition between the Kingdom of Spain and the Republic of Ecuador, signed in Madrid, 28 June 1989 (*BOE* 313, 31.12.97).

*Instrument of ratification:* 12 November 1997.

*Entry into force:* 31 January 1998.

## XII. INTERNATIONAL ORGANISATIONS

– Constitutive Agreement of the International Institute for Democracy and Electoral Assistance, signed in Stockholm 27 February 1995 (*BOE* 51, 28.2.97).

*Entry into force:* 1 March 1997.

– Agreement on Security of the Western European Union, signed in Brussels, 28 March 1995 (*BOE* 60, 11.3.97).

*Instrument of ratification:* 2 February 1996.

*Entry into force:* 28 November 1996.

*Note:* Abolishes the Resolution adopted by the Council of the Western European Union by document C(90)53, dated 21 May 1990.

– Founding Act of the Latin-American Youth Organisation, signed in Buenos Aires 1 August 1996 (*BOE* 174, 22.7.97).

*Instrument of ratification:* 11 June 1997.

*Provisional Application:* 1 August 1996.

*Entry into force:* 17 July 1997.

## XIII. EUROPEAN UNION

– European Agreement establishing an association between the European Communities and their Member States on the one side, and Romania on the other, signed in Brussels, 1 February 1993 (*BOE* 12, 14.1.97).

*Entry into force:* 1 February 1995.

– European Agreement establishing an association between the European Communities and their Member States on the one side and the Republic of Bulgaria on the other, 8 March 1993 (*BOE* 13, 15.1.97).

*Entry into force:* 1 February 1995.

– Exchange of Notes 24 July and 2 October 1996 between the European Communities and the Kingdom of Spain on Development Provisions/Application Norms of the Protocol on Privileges and Immunities of the European

Communities in the Kingdom of Spain (*BOE* 33, 7.2.97 and 153, 27.6.97).

*Provisional application*: 2 October 1996.

*Entry into force*: 3 June 1997.

#### XIV. RESPONSIBILITY

#### XV. PACIFIC SETTLEMENT OF DISPUTES

#### XVI. COERCION AND USE OF FORCE SHORT OF WAR

– Agreement between the Government of Albania and the Governments of the nations contributing to the Multi-national Protection Forces on the Statute regulating those forces, signed in Rome 21 April 1997 (*BOE* 150, 24.6.97 and 191, 30.7.97).

*Provisional application*: 21 April 1997.

*Definitive entry into force*: 14 January 1998 (*BOE* 163, 9.7.98).

#### XVII. WAR AND NEUTRALITY

– Final Document of 31 May 1996 of the first examination conference on the efficiency of the Conventional Armed Forces in Europe Treaty and the Act of Conclusion with regard to troop negotiations, held in Vienna, 15–31 May 1996 (*BOE* 299, 15.12.97).

*Note*: Attached Annex A is the document agreed to by the States party to the Conventional Armed Forces in Europe Treaty of 19 November 1990. This Annex entered into force on 15 May 1997.