

TREATIES TO WHICH SPAIN IS A PARTY INVOLVING QUESTIONS OF PUBLIC INTERNATIONAL LAW, 1993 AND 1994

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This survey includes the treaties covered by article 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 concerning the accession of the Republic of Greece to the Convention on the progressive removal of controls at common borders, signed in Schengen, 14 June 1985, as amended by the Protocol of 27 November 1990, Paris, concerning the accession of Italy to the Convention, as amended by the Protocol of 25 June 1991, Bonn, concerning the accession of Spain and Portugal, done at Madrid, 6 November 1992 (*BOE* n. 34, 9.2.93).

Entry into force: 7 November 1992.

— Accession of the Kingdom of Spain to the Arrangement of 19 June 1990 for the implementation of the Schengen Convention, 14 June 1985, as amended by the protocol of 27 November 1990, Paris, concerning the accession of Italy to the Convention, signed in Bonn, 25 June 1991 (*BOE* n. 81, 5.4.94).

Instrument of ratification: 23 July 1993.

Entry into force: 1 March 1994.

2. Aliens

— Announcement made on 23 February 1993 by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* (General Technical Secretariat of the Ministry of Foreign Affairs) on the entry into force on 14 February 1993 of the Exchange of Notes 27 May and 10 June 1992 between the Government of Spain and the Government of the United States of America, constituting an Agreement for the amendment of the Agreement dated 21 January 1952, on the abolition of visas in ordinary passports (*BOE* n. 57, 8.3.93).
Exchange of Notes published *BOE* n. 188, 6.8.92.

— Note 16 July 1992 from the Spanish Embassy to the Ministry of Foreign Affairs of the Republic of Seychelles denouncing the Agreement on abolition of visas (*BOE* n. 70, 23.3.93).

Entry into force: 15 August 1992.

— Note Verbale 7 April 1993 from the Spanish Ministry of Foreign

Affairs to the Dominican Republic's Embassy in Madrid, denouncing the Agreement concluded through an Exchange of Notes on 27 September 1966, on the abolition of visa requirements between Spain and the Dominican Republic. By Exchange of Notes on 22 April and 4 May 1993, it was agreed that the effective date of entry into force of the denunciation would be 1 June 1993 (*BOE* n. 125, 26.5.93).

— Note Verbale 11 May 1993 from the *Ministerio de Asuntos Exteriores* (Ministry of Foreign Affairs) to the Yugoslav Federal Ministry of Foreign Affairs, on the decision to temporarily suspend the Agreement concluded through an Exchange of Notes on 3 March 1978, on the abolition of visa requirements between Spain and the Socialist Federal Republic of Yugoslavia. According to the Spanish Note Verbale, the suspension will be effective as of 1 June 1993 (*BOE* n. 127, 28.5.93).

— Exchange of Notes 13 and 15 July 1993 between the Kingdom of Spain and the Republic of Tunisia, constituting an Agreement on free-of-charge visas (*BOE* n. 157, 2.7.93).
Entry into force: 24 June 1993.

— Announcement made on 14 October 1993 by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* transmitting a Note Verbale 29 September 1993, by which the Spanish Government informed the Ministry of Foreign Affairs of Grenada of the temporary suspension of the extension to Grenada of the Spanish–British Agreement 13 May 1960 on the abolition of visas (*BOE* n. 266, 6.11.93).
Entry into force: 1 October 1993.

— Note Verbale 25 October 1993 from the Spanish Government to the Embassy of the Republic of Bosnia–Herzegovina, temporarily suspending the Agreement concluded by the Exchange of Notes 3 March 1978 between the Government of Spain and the Socialist Federal Republic of Yugoslavia on the abolition of visas (*BOE* n. 290, 4.12.93).
Entry into force: 25 October 1993.

— Note Verbale 14 October 1993 of the Spanish Government to the Mission of the ex–Yugoslav Republic of Macedonia at the United Nations, temporarily suspending the Agreement concluded by

Exchange of Notes 3 March 1978 between the Government of Spain and the Socialist Federal Republic of Yugoslavia on the abolition of visas (*BOE* n. 290, 4.12.93).

Entry into force: 15 October 1993.

— Exchange of Notes 26 October 1992 between the Ambassador of the Republic of Poland and the Minister of Foreign Affairs of Spain constituting an Agreement on the abolition of visas (*BOE* n. 17, 20.1.94).

Entry into force: 31 January 1994.

— Announcement 4 January 1994 by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* of the Note Verbale 23 December 1993 of the Spanish Ministry of Foreign Affairs to the Embassy of the Republic of Peru on the continued failure to apply the Agreement on the abolition of visa requirements concluded by Exchange of Notes 14 April 1959 (*BOE* n. 40, 16.2.94).

Entry into force: 15 February 1994.

Note: This suspension will be extended until 15 February 1996.

— Exchange of Notes 9 November 1993 between Spain and Israel on the abolition of visas (*BOE* n. 159, 5.7.94).

Entry into force: 31 July 1994.

— Exchange of Notes 25 May and 17 June 1994 between the Kingdom of Spain and the Principality of Andorra on the regime of free movement of persons (*BOE* n. 176, 4.8.94).

Provisional application: 17 June 1994.

Note: Nationals of both countries can enter the territory of the other State without a passport or visa; the visas issued by Spain for periods of less than three months will allow entry into Andorra; individuals exempt from obtaining a visa to enter Spain will not need a visa to enter Andorra.

3. Human Rights

— Agreement concerning the readmission of persons in irregular situations, done at Brussels, 29 March 1991 (*BOE* n. 16, 19.1.93 and n. 30, 4.2.93).

Instrument of ratification: 27 October 1992.

Entry into force: 1 January 1993.

VI. ORGANS OF THE STATE

1. Diplomatic Relations

— Agreement on complementarity and mutual diplomatic assistance between the Kingdom of Spain and the Republic of Costa Rica, done at San José, 17 April 1991 (*BOE* n. 104, 2.5.94).

Entry into force: 27 July 1993.

Note: The object of this Agreement is to coordinate the actions of diplomatic missions abroad in order to maximize their use for the benefit of both countries. This objective will be achieved by each State having the right to use the diplomatic missions of the other State in countries in which one does not have diplomatic representation. This cooperation can be extended to include consulates by an Exchange of Notes.

2. Relations with International Organizations

— Exchange of Letters 29 July 1993 and 19 May 1994 containing a Memorandum of responsibilities to be assumed between the Government of the Kingdom of Spain and the Food and Agriculture Organization with regard to the 19th session of the working group on the administration of mountain hydrographic basins by the European Forestry Commission (*BOE* n. 147, 21.6.94).

Provisional application: 1 June 1994.

— Exchange of Notes of 10 October 1994 which constitutes an Agreement between the Kingdom of Spain and the United Nations Environmental Program on the Meeting of Experts on the Protocol for the Protection of the Mediterranean Sea against Pollution resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and its Subsoil, 11 and 12 October 1994, the Plenipotentiary Conference on the Protocol, 13 and 14 October 1994, to be held in Madrid, and the Meeting of Experts on the revision of the Barcelona Convention and its Protocols and the MAP, to be held in Barcelona, 14

to 18 November 1994,
(*BOE* n. 310, 28.12.94).

Provisional application: 10 October 1994.

VII. TERRITORY

1. Frontiers

— Exchange of Notes 5 September 1991 and 5 November 1992 between the French Ministry of Foreign Affairs and the Spanish Embassy in France modifying the Agreement of 29 July 1970 concerning the creation of complementary national border control offices in Cerbère Col des Balitres (*BOE* n. 27, 1.2.94).

Entry into force: 1 January 1993.

— Exchange of Letters 19 and 21 October 1994 between the Ministers of Foreign Affairs of Spain and France approving the proposal for an Agreement on the construction of a new border road between Massanet de Cabrenys (Spain) and Coustouges (France) with a bridge over the river Major, between the Department of the Eastern Pyrenees and the *Generalitat* of Catalonia (*BOE* n. 274, 16.11.94 and n. 287, 1.12.94).

Provisional application: 21 October 1994.

VIII. SEAS, WATERWAYS, SHIPS

1. Fisheries

— Annex to the International Convention for the Regulation of Whaling, amended at the 45th Session of the International Whaling Commission, held from 10 to 14 May 1993 (*BOE* n. 159, 5.7.94).

Entry into force: 31 August 1993.

Note: This Annex supersedes the Annex adopted on July 1992 (*BOE* n. 139, 11.6.93 and n. 186, 5.8.93).

— Conservation measures 18/IX and Annex to the Convention on the

Conservation of Live Antarctic Marine Resources 20 May 1980 (*BOE* n. 165, 12.7.94).

IX. INTERNATIONAL SPACES

1. Antarctic

— Agreement on Cooperation in the Antarctic between the Kingdom of Spain and the Republic of Chile, done at Santiago (Chile), 22 December 1993 (*BOE* n. 155, 30.6.94).

Entry into force: 22 December 1993.

2. Space

— Exchange of Notes 25 and 26 January 1994 between the Spanish Ministry of Foreign Affairs and the Embassy of the United States of America in Madrid constituting an Agreement by which a one year renewable extension to be in effect until 29 January 1996 is approved for the agreement on scientific and technical cooperation in moon and planetary exploration programs and of manned and unmanned space flights, by the establishment of a monitoring and data gathering station in Spain, subscribed to 29 January 1994 (*BOE* n. 70, 23.3.94).

Provisional application: 29 January 1994.

— Convention between Spain and the United States of America on Space Cooperation, done at Madrid, 11 July 1991 (*BOE* n. 124, 25.5.94 and n. 269, 10.9.94).

Entry into force: 9 May 1994.

Note: This Convention establishes the possibility that in an emergency situation, manned space vehicles belonging to the United States can fly over, enter and exit Spanish air space and use landing strips and runways on the bases at Morón de la Frontera, Rota and Zaragoza along with any installations or facilities that are authorized. Article 10 regulates the mechanisms of responsibility for damage done to Spanish territory as the result of an emergency landing. Article 5 reconfirms the Spanish Government's policy as regards issues of weapons and nuclear

materials and the Government of the United States pledges not to put into orbit any object carrying nuclear weapons or any other type of mass-destruction device or to put this kind of weapon into outer space by any other means.

X. ENVIRONMENT

1. General

— Convention concerning the Transboundary Movement of Hazardous Wastes and their Disposal, done at Basle, 22 March 1989 (*BOE* n. 227, 22.9.94).

Instrument of ratification: 7 February 1994.

Entry into force: 8 May 1994.

Note: The following declaration is included in the ratification instrument:

“The Spanish government, in accordance with article 26.2 of the Convention, declares that the criminal characterization of illegal traffic in hazardous wastes or other wastes, established as an obligation of States parties under article 4.3, will take place within the general framework of the substantial reform of the criminal legal code”.

— Agreement between the Kingdom of Spain and the Russian Federation on Environmental Cooperation, done at Madrid, 11 April 1994 (*BOE* n. 298, 14.12.94).

Entry into force: 28 September 1994.

2. Seas

— Amendments to the Annex of the Protocol 17 February 1978 of the International Convention 2 November 1973 for the Prevention of Pollution from Ships, adopted on 16 November 1990, 4 July 1991 and 6 March 1992 (*BOE* n. 137, 9.6.193 and n. 112, 11.5.94).

Entry into force: 17 March 1992, 4 April 1993 and 6 July 1993, respectively.

— Annex IV to the Protocol 17 May 1980 on the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (*BOE* n. 295, 10.12.93).

Entry into force: 16 August 1993.

— Amendments to the Annex of the Protocol 17 February 1978, concerning the International Convention 2 November 1973 for the Prevention of Pollution from Ships, approved by Resolution MEPC.57(33) on 30 October 1992 (*BOE* n. 107, 5.5.94).

Entry into force: 1 July 1994.

— Protocol to the Convention 29 November 1969 relating to Intervention on the High Seas in cases of Oil Pollution Casualties, done in London, 2 November 1973, with amendments (*BOE* n. 112, 11.5.94).

Instrument of adhesion: 23 February 1994.

Entry into force: 12 June 1994 for the Protocol, and 24 July 1992 for the amendments.

— Resolution MEPC.58(33), adopted on 30 October 1992, approving Amendments to the Annex of the 1978 Protocol to the International Convention 2 November 1973 for the Prevention of Pollution from Ships (revised annex III) (*BOE* n. 122, 23.5.94 and n. 174, 22.7.94).

3. Air

— United Nations Framework Convention on Climate Change, done at New York, 9 May 1992 (*BOE* n. 27, 1.2.94).

Instrument of ratification: 16 November 1993.

Entry into force: 21 March 1994.

— Adjustments to articles 2A, 2B, 2C, 2D and 2E and Annex D of the Montreal Protocol, 16 September 1987, on Substances that Deplete the Ozone Layer (*BOE* n. 75, 29.3.94).

Entry into force: 22 September 1993. *Entry into force of Annex D*, 27 May 1992.

4. Fauna and Flora

— Amendments to Appendices I, II y III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington, 3 March 1973 (*BOE* n. 155, 30.6.93).

— Convention on Biological Diversity, done at Rio de Janeiro, 6 June 1992 (*BOE* n. 27, 1.2.94).

Instrument of ratification: 16 November 1993.

Entry into force: 29 December 1993.

— OECD system for the control of reforestation materials destined for international trade, established by virtue of the Council Decision of 5 March 1974 [c (74) 29 (Final)] (*BOE* n. 285, 29.11.94).

5. Nuclear Energy

— Agreement between the Government of the Kingdom of Spain and the Government of the Federal Republic of Brazil on cooperation in the peaceful uses of nuclear energy, done at Brasilia, 12 May 1983 (*BOE* n. 133, 4.6.93 and n. 168, 15.7.93).

Entry into force: 23 April 1993.

— Protocol of 23 March 1993 suspending the nuclear safeguards derived from the Agreement on the application of safeguards between the IAEA, Spain and the United States of America, 9 December 1966, and from the Agreement on nuclear cooperation between the Kingdom of Spain and the government of the United States of America, 20 March 1974 (*BOE* n. 18, 21.1.94).

Entry into force: 15 October 1993.

XI. LEGAL ASPECTS OF INTERNATIONAL COOPERATION

1. General Treaties

— Treaty of Friendship, Good Neighbour and Cooperation between the Kingdom of Spain and the Kingdom of Morocco, done at Rabat, 4

July 1991 (*BOE* n. 49, 26.2.93).

Entry into force: 28 January 1993.

Note: The Treaty, in its extensive preamble, establishes the general principles which must guide relations between both Parties (as regards international legality, sovereign equality, non-intervention in internal affairs, refraining from the threat or use of force, the 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 civilizations) and includes provisions which regulate bilateral political relations and economic and financial cooperation for cultural, legal and consular development.

— Exchange of Notes 30 September and 23 December 1992 modifying the General Treaty of Cooperation and Friendship 3 June 1988, between the Spanish Ministry of Foreign Affairs and the Embassy of the Republic of Argentina in Madrid (*BOE* n. 78, 1.4.93).

Provisional application: 30 December 1992.

Note: The modification refers to article 5 of the economic agreement found in the aforementioned Treaty.

— Treaty of Friendship, Good Neighbour, and Cooperation between the Kingdom of Spain, the Republic of France and the Principality of Andorra, signed at Madrid and Paris, 1 June 1993, and at Andorra la Vella, 3 June 1993 (*BOE* n. 155, 30.6.93).

Provisional application: 3 June 1993.

— Treaty of Cooperation and Friendship between the Kingdom of Spain and Romania, signed in Madrid, 4 February 1992 (*BOE* n. 163, 9.7.93).

Instrument of ratification: 23 April 1993.

Entry into force: 10 July 1993.

Note: In accordance with art. 1:

The Parties, as friendly States, will develop their relations based on the principles of the Final Act of the Helsinki Conference: sovereign equality, refraining from the threat or use of force, the inviolability of borders, the territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, equal rights and self-determination of peoples, cooperation among States and fulfilment in good faith of obligations derived under international

law.

Within the framework of the CSCE process, Spain and Romania will help to strengthen democracy, political pluralism, the rule of law, and to promote and protect human rights including the rights of minority groups.

— Treaty of Friendship and Cooperation between the Kingdom of Spain and the Republic of Hungary, signed in Madrid, 6 February 1992 (*BOE* n. 63, 15.3.94).

Instrument of ratification: 1 February 1994.

Entry into force: 17 March 1994.

Note: In accordance with art. 2:

The Parties, as friendly States, will develop their relations based on the principles of the Final Act of the Helsinki Conference: sovereign equality, refraining from the threat or use of force, the inviolability of borders, the territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, equal rights and self-determination of peoples, cooperation among States and fulfilment in good faith of obligations derived under international law.

Article 3 establishes that:

Within the framework of the CSCE process, the Kingdom of Spain and the Republic of Hungary will help to strengthen democracy, political pluralism, the rule of law, and to promote and protect human rights, including those of minority groups.

— Protocol between the Government of Spain and the Government of Costa Rica amending the Treaty of Perpetual Friendship between Spain and Costa Rica 9 January 1953, signed in Madrid, 31 May 1984 (*BOE* n. 104, 2.5.94).

Entry into force: 29 Marzo 1994.

Note: This Protocol establishes institutionalized mechanisms for annual meetings between both Parties.

— General Treaty of Cooperation and Friendship, including annex and Economic Agreement, between the Kingdom of Spain and the Republic of Uruguay, signed in Madrid, 23 July 1992 (*BOE* n. 131, 2.6.94 and n. 174, 22.7.94).

Entry into force: 6 June 1994.

— General Treaty of Cooperation and Friendship, and the Economic Agreement included therein, between the Kingdom of Spain and the Federal Republic of Brazil, done at Madrid, 23 July 1992 (*BOE* n. 162, 8.7.94).

Entry into force: 6 July 1994.

— Treaty of Cooperation and Friendship between the Kingdom of Spain and the Republic of Poland, done at Madrid, 26 October 1992 (*BOE* n. 286, 30.11.94).

Entry into force: 4 December 1994.

Note: In accordance with art. 3:

The Contracting Parties agree that their activities will be carried out in accordance with the Charter of the United Nations, the Final Act of the Conference on Security and Cooperation in Europe and the Paris Charter for a New Europe and especially with the principles of sovereign equality, refraining from the threat or use of force, the inviolability of borders, the territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, equal rights and self-determination of peoples, cooperation among States and fulfilment in good faith of obligations derived under international law.

2. Scientific and Technical Cooperation

— Complementary Agreement to the Basic Convention on Scientific and Technical Cooperation 20 December 1974 between the Kingdom of Spain and the Republic of Nicaragua, done at Madrid, 26 April 1992 (*BOE* n. 24, 28.I.93).

Entry into force: 27 November 1992.

— Convention between the Kingdom of Spain and the Arab Republic of Egypt on Scientific and Technical Cooperation, done at El Cairo, 12 March 1991 (*BOE* n. 97, 23.4.93).

Entry into force: 29 March 1993.

Note: The above Convention replaces the Agreement on Scientific and Technical Cooperation of 13 June 1975.

— Basic Agreement between the Kingdom of Spain and the Republic of Tunisia on Scientific and Technical Cooperation, signed ad

referendum in Madrid, 28 May 1991 (*BOE* n. 245, 22.10.93 and n. 264, 4.11.93).

Entry into force: 5 August 1993.

Note: This Agreement abolishes the Agreement on Scientific and Technical Cooperation signed on 14 June 1966.

— Agreement between the Kingdom of Spain and the Hashemite Kingdom of Jordan on Cultural, Scientific and Technical Cooperation, done at Amman, 21 January 1993 (*BOE* n. 125, 26.5.94).

Entry into force: 10 May 1994.

Note: It abolishes the Agreement concluded on 8 February 1993.

3. Cultural Cooperation

— Protocol to the Agreement on the importation of Educational, Scientific and Cultural materials, done at Nairobi, 26 November 1976 (*BOE* n. 58, 9.3.93).

Instrument of ratification: 15 September 1992.

Entry into force: 2 April 1992.

Note: With the following reservation:

“Availing itself of the provisions of paragraph 16 of the Protocol, Spain will not consider itself subject to the stipulations of Parts II and IV of the Protocol, nor its Annexes C 1, F, G, or H”.

— Spanish–Andorran Convention on Educational Cooperation, signed at Madrid, 11 January 1993.

Entry into force: 11 January 1993 (*BOE* n. 145, 18.6.93).

— Exchange of Notes 7 June and 20 July 1992 between the Kingdom of Spain and the United States of America extending the Agreement 7 June 1989 on Cultural and Educational Cooperation (*BOE* n. 163, 9.7.93).

Entry into force: 7 June 1992.

— Convention between the Kingdom of Spain and the Republic of Guatemala on Cultural, Educational and Sports Cooperation, signed in Madrid, 11 April 1989 (*BOE* n. 275, 17.10.93).

Instrument of ratification: 5 October 1993.

Entry into force: 11 October 1993.

Note: It abolishes the Convention signed on 27 April 1964.

— Agreement on Cultural Cooperation between the Kingdom of Spain and the Republic of Korea, done at Seoul, 17 January 1994 (*BOE* n. 113, 12.5.94).

Entry into force: 28 April 1994.

Note: It abolishes the Convention on Cultural Cooperation between the Government of Spain and the Government of the Republic of Korea, signed in Madrid, 7 February 1977.

— Protocol of the amendment to the Convention on Cultural Cooperation between Spain and Costa Rica 6 November 1971, signed in Madrid 31 May 1984 (*BOE* n. 163, 9.7.94).

Entry into force: 16 May 1994.

— Convention on Cultural, Educational and Scientific Cooperation between the Kingdom of Spain and the Republic of Slovenia, done at Madrid, 15 December 1993 (*BOE* n. 176, 25.7.94).

Entry into force: 8 July 1994.

4. Economic Cooperation

— Agreement on Economic and Industrial Cooperation between the Kingdom of Spain and the Arab Republic of Egypt, done at El Cairo, 12 March 1991 (*BOE* n. 24, 28.1.93).

Entry into force: 5 January 1993.

— Agreement on Economic and Industrial Cooperation between Spain and the Republic of the Philippines, done at Manila, 21 May 1988 (*BOE* n. 74, 27.3.93).

Entry into force: 14 January 1993.

— Agreement on Economic and Financial Cooperation between the Kingdom of Spain and the Republic of Tunisia, done at Madrid, 28 May 1991.

Provisional application: 28 May 1991 (*BOE* n. 66, 17.3.92).

Definitive entry into force: 27 April 1993 (*BOE* n. 127, 28.5.93).

— Agreement on Economic and Financial Cooperation between the Kingdom of Spain and the Federal Republic of Nigeria, done at Madrid, 20 November 1991 (*BOE* n. 275, 3.12.93).

Definitive entry into force: 12 October 1993.

— Agreement on Economic and Industrial Cooperation between the Government of Spain and the Government of the Russian Federation, done at Madrid, 12 April 1994 (*BOE* n. 117, 17.5.94).

Provisional application: 12 April 1994.

— Agreement on Economic Cooperation between the Kingdom of Spain and the Republic of South Korea, done at Seoul, 17 January 1994 (*BOE* n. 297, 13.12.94).

Entry into force: 19 July 1994.

5. Tariffs and Trade Cooperation

— Agreement regarding mutual assistance in customs services between the Kingdom of Spain and the United States of America, done at Madrid, 3 July 1990 (*BOE* n. 24, 28.1.93).

Entry into force: 1 March 1993.

Note: According to art. 2.1, the purpose of this Agreement is to prevent, investigate and suppress customs infractions.

— Amendments proposed by Italy to the Convention on the temporary importation of private road vehicles, done at New York, 4 June 1954 (*BOE* n. 155, 30.6.93).

Entry into force: 30 October 1992.

— Amendments proposed by Italy to the Convention on the temporary importation of commercial road vehicles, done at Geneva, 18 May 1956 (*BOE* n. 155, 30.6.93).

Entry into force: 30 October 1992.

6. Commodities Cooperation

— International Natural Rubber Agreement, 1987, done at Geneva, 20 March 1987 (*BOE* n. 50, 3.3.94).

Instrument of ratification: 3 November 1992.

Entry into force: 3 April 1989.

— Amendments 26 June 1992 to paragraphs I3 and I4 of the mandate of the Copper Study Group, adopted 24 February 1989 (*BOE* n. 50, 3.3.94).

Entry into force: 15 August 1992.

— International Cacao Agreement, 1993, done at Geneva, 16 July 1993 (*BOE* n. 105, 3.5.94 and n. 159, 5.7.94).

Provisional application: 22 February 1994.

— Announcement 31 May 1994, by the Secretaría General Técnica del Ministerio de Asuntos Exteriores with information on Resolution 152 (XXVIII) of the International Council of Natural Rubber and the one-year extension of the International Natural Rubber Agreement, 1987 (*BOE* n. 137, 9.6.94).

Entry into force: 29 December 1993.

— Acceptance by Spain of the Copper Study Group mandate, adopted at Geneva, 24 February 1989 (*BOE* n. 145, 18.6.94).

Instrument of acceptance: 13 January 1994.

Definitive entry into force: 23 January 1992.

— International Coffee Agreement, 1983, done at London, 16 September 1982, extended by resolution 363, 4 June 1993, of the International Coffee Council (*BOE* n. 271, 12.11.94).

Instrument of adhesion: 26 May 1994.

Entry into force: 1 October 1993.

7. Financial and Tax Cooperation

Note: See XVI. Investments and Foreign Exchange and XXIII. Tax Law, in Section on Private International Law.

— Convention between the Government of the Kingdom of Spain and the Government of the Republic of Ecuador for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and capital, done at Quito, 20 May 1991 (*BOE* n. 107, 5.5.93).

Instrument of ratification: 16 April 1993.

Entry into force: 19 April 1993.

— Agreement and Protocol between the Kingdom of Spain and the Republic of Chile for the Protection and Promotion of Investments, signed in Santiago, 2 October 1991 (*BOE* n. 67, 19.3.94).

Instrument of ratification: 5 November 1993.

Entry into force: 29 March 1994.

— Convention between the Kingdom of Spain and the Republic of Argentina for the avoidance of double taxation and the prevention of tax evasion in relation to taxes on income and capital, signed in Madrid, 21 July 1992 (*BOE* n. 201, 9.9.94).

Entry into force: 28 July 1994.

— Convention on the settlement of investment disputes between States and nationals of other States, signed in Washington, 18 March 1965 (*BOE* n. 219, 13.9.94).

Instrument of ratification: 20 June 1994.

Entry into force: 17 September 1994.

— Convention and Protocol between the Kingdom of Spain and the United Mexican States for the avoidance of double taxation in relation to taxes on income and capital and the prevention of fraud and tax evasion, done at Madrid, 24 July 1992 (*BOE* n. 257, 27.10.94).

Instrument of ratification: 5 October 1994.

Entry into force: 6 October 1994.

— Agreement for the Protection and Promotion of Investment between the Kingdom of Spain and the Republic of the Philippines, done at Madrid, 19 October 1993 (*BOE* n. 275, 17.11.94).

Entry into force: 21 September 1994.

— Agreement for the Protection and Promotion of Investment between the Kingdom of Spain and the Republic of South Korea, done at Seoul, 17 January 1994 (*BOE* n. 297, 13.12.94).

Entry into force: 19 July 1994.

Note: In accordance with art. 5 referring to nationalization and expropriation:

1. Investments or earnings from investments made by investors from any of the contracting parties will not be subject to nationalization, expropriation or any other type of measure which has similar effects in the territory of the other contracting party except for reasons of public domain and then only with speedy, appropriate and effective compensation and provided that these measures are not discriminatory and are in keeping with legal provisions.

2. Compensation will be equal to the market value of the

investment or of the earnings from investments that are expropriated immediately before the expropriation or the imminence of an expropriation becomes public, will be paid promptly, with no unjustifiable delays, and can be taken in cash and freely transferred.

3. Compensation will include the payment of interest in accordance with the laws and regulations of the contracting party in whose territory the expropriation takes place.

— Convention and Protocol between Spain and the Republic of the Philippines for the avoidance of double taxation and the prevention of fraud and tax evasion in relation to income, done at Manila, 14 March 1989 (*BOE* n. 299, 15.12.94).

Instrument of ratification: 7 September 1994.

Entry into force: 12 September 1994.

— Convention and Protocol between the Kingdom of Spain and the Republic of Korea for the avoidance of double taxation and the prevention of fraud and tax evasion in relation to income, done at Seoul, 17 January 1994 (*BOE* n. 299, 15.12.94).

Instrument of ratification: 8 November 1994.

Entry into force: 21 November 1994.

— Convention and Protocol between the Kingdom of Spain and the Republic of Ireland for the avoidance of double taxation and the prevention of fraud and tax evasion in relation to income and capital, done at Madrid, 10 February 1994 (*BOE* n. 309, 27.12.94).

Entry into force: 21 November 1994.

8. Radio and Telecommunications Cooperation

— Resolution of 14 September 1994, by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* which publishes the EUMETSAT Resolution on the Second Generation METEOSAT Program presented for adoption at the 21st meeting of the council held 23—25 November 1992 (*BOE* n. 231, 27.9.94).

Entry into force: 22 June 1994.

— Resolution of 14 September 1994, by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* which publishes the

EUMETSAT Resolution on the Polar System Preparatory Program, presented for adoption at the 21st meeting of the Council held 23—25 November 1992 (*BOE* n. 231, 27.9.94).

Entry into force: 22 June 1994.

9. Postal Communications

— Resolution issued 26 April 1993 by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* transmitting the Note Verbale 25 March 1993 by which the Spanish Ministry of Foreign Affairs communicated to the Portuguese Embassy at Madrid the denunciation of the Spanish–Portuguese Postal Convention of 1 May 1959 (*BOE* n. 107, 5.5.93).

Entry into force: 25 June 1993.

10. Road Traffic and Transport

— Agreement between Spain and France on the transport of sodium cyanide, done 13 April 1993 (*BOE* n. 115, 14.5.93).

Entry into force: 13 April 1993.

Note: Partially supersedes the annexes to the European Agreement concerning the international carriage of dangerous goods (ADR), done at Geneva, 30 September 1957.

— Amendments proposed by Norway to the European Agreement on the work done by the crews of international transport vehicles (AETR), done in Geneva, 1 July 1970 (*BOE* n. 155, 30.6.93).

Entry into force: 24 April 1992.

— Amendments proposed by France regarding Appendix B.6 and Annexes A and B of the European agreement concerning the international carriage of dangerous goods (ADR), done at Geneva, 30 September 1957 (*BOE* n. 186, 8.9.93).

Entry into force: 1 January 1993.

— Amendments 01 to Regulation n. 1 on the harmonization of motor vehicle headlamps emitting an asymmetrical passing beam and/or driving beam and equipped with category R2 filament lamps (*BOE* n. 243, 11.10.93).

— Amendments 01 to Regulation n. 7 on the harmonization of front and rear (side) lamps, stop- lamps and end-outline marker lamps of motor vehicles (except motorcycles) and their trailers (*BOE* n. 243, 11.10.93).

— Amendment 1 to Regulation n. 11 on the harmonization of door latches and door retention components (*BOE* n. 243, 11.10.93).

— Amendments 04 to Regulation n. 8 on the harmonization of vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen lamps (lamps H1, H2 or H3) (*BOE* n. 243, 11.10.93).

— Amendments proposed by the Netherlands to Regulation n. 20 on the harmonization of motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen filament lamps (lamps H4) and the harmonization of these lamps (*BOE* n. 243, 11.10.93).

— Revised text of Amendments to Regulation n. 17 on the harmonization of vehicles with regard to seats, their anchorage and any head restraints (*BOE* n. 243, 11.10.93).

— Rectification of Amendments 01 to Regulation n. 18 on the harmonization of power-driven vehicles with regard to their protection against unauthorized use (*BOE* n. 243, 11.10.93).

— Amendments to Regulation n. 21 on the harmonization of vehicles with regard to their interior fittings (*BOE* n. 243, 11.10.93).

— Amendment proposed by the Netherlands to Regulation n. 23 on the harmonization of reversing lights for power driven vehicles and their trailers (*BOE* n. 243, 11.10.93).

— Revised text of Amendments to Regulation n. 25 on the harmonization of head restraints (headrests), whether or not incorporated in vehicle seats (*BOE* n. 243, 11.10.93).

— Rectification of Regulation n. 26 on the harmonization of vehicles with regard to their external projections (*BOE* n. 243, 11.10.93).

— Amendments proposed by the Netherlands to Regulation n. 27 on the harmonization of advance warning triangles (*BOE* n. 243, 11.10.93).

— Amendment to Regulation n. 38 on the harmonization of rear fog lamps for power-driven vehicles and their trailers (*BOE* n. 243, 11.10.93).

— Amendments proposed by France to Regulation n. 43 on the harmonization of safety glazing and glazing materials (*BOE* n. 244, 12.10.93).

— Amendments proposed by Italy to Regulation n. 51 on the harmonization of vehicles with a minimum of four wheels in relation to their noise emissions (*BOE* n. 244, 12.10.93).

— Amendments proposed by the United Kingdom of Great Britain and Northern Ireland to Regulation n. 36 concerning the construction of public service vehicles (*BOE* n. 244, 12.10.93).

— Amendments proposed by Spain to Regulation n. 36 on the construction features of public service vehicles (*BOE* n. 250, 19.10.93).

— Regulation n. 52 on uniform provisions concerning the construction of small-capacity public service vehicles, Annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonization of equipment and motor vehicle parts (*BOE* n. 76, 30.3.94).

Entry into force: 21 January 1994.

— Regulation n. 80 on uniform provisions concerning the harmonization of the seats of large passenger vehicles and of these vehicles with regard to the strength of the seats and their anchorages, annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonization of equipment and motor vehicle parts (*BOE* n. 119, 19.5.94).

Entry into force: 27 March 1994.

— Amendment proposed by Sweden to article 16 and Amendment proposed by the Netherlands to Annex 8 of the customs accord on the international transport of goods under cover of TIR carnets (TIR

Convention), circulated on 24 March 1993 (*BOE* n. 145, 18.6.94).
Entry into force: 24 June 1994.

— Agreement between the Kingdom of Spain and the Republic of Croatia on international road transport, done at Madrid, 28 June 1994 (*BOE* n. 249, 18.10.94).

Provisional application: 28 June 1994.

— Regulation n. 16 on the harmonization of safety belts and restraint devices for adult passengers, annex to the Geneva Accord of 20 March 1958 on the adoption of terms and conditions for the harmonization of equipment and motor vehicle parts (*BOE* n. 280, 23.11.94).

— Agreement between the Kingdom of Spain and the Republic of Lithuania on international road transport, done at Vilnius, 6 July 1994 (*BOE* n. 284, 28.11.94).

Provisional application: 6 July 1994.

— Regulation n. 56 on uniform provisions concerning the harmonization 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 harmonization of equipment and motor vehicle parts (*BOE* n. 287, 1.12.94).

Entry into force: 8 May 1993.

11. Rail Traffic and Transport

— Modification of the regulation regarding the international transport by rail of hazardous materials of 8 August 1986 approved by the Commission of Experts in the transport of hazardous materials at their 28th session, held in Berne (Switzerland) 2—12 April 1991 (*BOE* n. 155, 30.6.93).

Entry into force: 1 January 1993.

12. Sea Traffic and Transport

— Regional Agreement on the planning of maritime radionavigation services (radio beacons) in the European maritime zone, done at Geneva, 13 March 1985 (*BOE* n. 47, 24.2.93).

Instrument of ratification: 26 November 1991.

Entry into force: 1 April 1992.

Note: In the Final Act, the delegation of the Kingdom of Morocco made the following declaration:

"The cities of Sebta (Ceuta) and Melilla, and the surrounding area, form an integral part of the territory of the Kingdom of Morocco.

As a result, the Moroccan Government formulates the maximum reservations allowed on radio beacon frequencies being assigned to Spain in those territories and registered in the Plan.

The signing of the Final Acts of this Conference does not in any way imply recognition of Spanish sovereignty over these territories".

Declaration of Spain:

"The Spanish delegation to the Conference rejects Reservation n. 5, presented by Morocco and included in the Final Protocol, regarding registration of frequencies for stations in Ceuta and Melilla.

Ceuta and Melilla are Spanish cities and as such, form part of national territory. Therefore, no discussion is admissible on Spanish sovereignty over these cities".

— Regional Agreement on mobile maritime and aeronautical radionavigation services on the hectometric wavelength (Region 1) (Región 1), done at Geneva, 15 March 1985 (*BOE* n. 49, 26.2.93).

Instrument of ratification: 26 November 1991.

Entry into force: 1 April 1992.

Note: In the Final Act, the delegation of the Kingdom of Morocco made the following declaration:

"The cities of Sebta (Ceuta) and Melilla, and the surrounding area, form an integral part of the territory of the Kingdom of Morocco.

As a result, the Moroccan Government formulates the maximum reservations allowed on mobile maritime and aeronautical frequencies being assigned to Spain in those territories and registered in the Plan.

The signing of the Final Acts of this Conference does not in any way imply recognition of Spanish sovereignty over these territories".

Declaration of Spain:

"The Spanish delegation to the Conference rejects Reservation n.

13, presented by Morocco and included in the Final Protocol regarding the registration of frequencies for stations in Ceuta and Melilla.

Ceuta and Melilla are Spanish cities and as such, they form part of national territory. Therefore, no discussion is admissible on Spanish sovereignty over these cities”.

— Agreement between the Kingdom of Spain and the International Maritime Organization on an International Conference to be held in Torremolinos (Málaga) on the safety of fishing vessels, done at London, 12 January 1993 (*BOE* n. 59, 10.3.93).

Provisional application: 12 January 1993.

— International Convention on maritime search and rescue 1979, done at Hamburg, 27 April 1979 (*BOE* n. 103, 30.4.93 and n. 226, 21.9.93).

Instrument of ratification: 29 January 1993.

Entry into force: 13 March 1993.

— Amendments to the Convention on facilitation of international maritime traffic, done at London, 9 April 1965 (*BOE* n. 155, 30.6.93).

Entry into force: 1 September 1993.

— Exchange of Notes 30 December 1992 and 14 May 1993 between the Ministerio de Asuntos Exteriores and the Embassy of the Kingdom of Morocco at Madrid, modifying the Convention on maritime transport, done at Madrid, 29 December 1979 (*BOE* n. 28, 2.2.94).

Entry into force: 12 January 1994.

— International Agreement on the use of INMARSAT ship land stations in territorial seas and ports, done at London, 16 October 1985 (*BOE* n. 50, 28.2.94).

Instrument of ratification: 11 April 1989.

Entry into force: 12 September 1993.

— Resolution MSC.19 (58) approving Amendments to the International Convention for the Safety of Life at Sea, 1974 (*BOE* n. 81, 5.4.94 and n. 216, 9.9.94).

Entry into force: 1 February 1992.

— Resolution MSC.13 (57) approving Amendments to the International Convention for the Safety of Life at Sea, 1974 (*BOE* n.

81, 5.4.94).

Entry into force: 1 February 1992.

— Resolution MEPC.55(33), 30 October 1992, by which amendments to the international code are passed regarding the construction and equipping of vessels that transport bulk hazardous chemical products (CIQ Code) in conformity with article 16 of the Convention and article VI of the Protocol of 17 February 1978, concerning the International Convention of 2 November 1973 for the prevention of pollution from ships (*BOE* n. 111, 10.5.94).

Entry into force: 1 July 1994.

— Resolution MSC 28(61), 11 December 1992, by which amendments to the international code are passed regarding the construction and equipment of vessels that transport bulk hazardous chemical products (CIQ Code), in conformity with article VIII-B) of the International Convention for the Safety of Life at Sea, 1974 (*BOE* n. 111, 10.5.94).

Entry into force: 1 July 1994.

— Resolution MEPC.56(33), adopted 30 October 1992, in which amendments to the code are passed regarding the construction and equipping of vessels that transport bulk hazardous chemical products (CgrQ Code) (*BOE* n. 123, 24.5.94).

— Resolution MSC.23(59), adopted 23 May 1991, approving the international code for the hazard-free transport of bulk grain, by virtue of the Amendments to the International Convention for the Safety of Life at Sea, 1974 (*BOE* n. 155, 30.6.94).

Entry into force: 1 January 1994.

— Resolution MSC.22(59), adopted 23 May 1991, approving Amendments to the International Convention for the Safety of Life at Sea, 1974 (*BOE* n. 155, 30.6.94).

Entry into force: 1 January 1994.

— Resolution MSC.30(61), adopted 11 December 1992, in which amendments to the international code are passed as regards the construction and equipping of vessels that transport bulk liquid gases in conformity with article VII.b) of the International Convention for the Safety of Life at Sea, 1974 (*BOE* n. 159, 5.7.94).

Entry into force: 1 July 1994.

— Convention on a Code of Conduct for Liner Conferences, done at Geneva, 6 April 1974 (*BOE* n. 162, 8.7.94).

Instrument of adhesion: 25 January 1994.

Entry into force: 3 August 1994.

Note: Spain's ratification includes the following reservations and declaration:

"Reservation 1:

For the purposes of implementing the Code of Conduct, the concept of a "national shipping line" may, in the case of a State member of the European Economic Community, include any vessel — operating shipping line established in the territory of that State, in accordance with the Treaty establishing the European Economic Community.

Reservation 2:

(a) Without prejudice to the text of (b) below, article 2 of the Code of Conduct shall not apply in conference trades between States members of the Community and, on the basis of reciprocity, between these States and other Organization for Economic Cooperation and Development (OECD) countries which are parties to the Code.

(b) The text of (a) above shall not affect the opportunities for participation in such trades, as third-country shipping lines, in accordance with the principles set out in article 2 of the Code, by the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

(I) Members of a conference which ensures such trades, or

(II) Admitted to membership of that conference under article 1, paragraph 3, of the Code.

Reservation 3:

Article 3 and article 14, paragraph 9, of the Code shall not apply in conference trades between States members of the Community and, on the basis of reciprocity, between these States and other OECD countries which are parties to the Code.

Reservation 4:

In trades to which article 3 of the Code applies, the final sentence of that article shall be interpreted as follows:

(a) The two groups of national shipping lines shall coordinate their positions prior to voting on issues relating to trade between their two countries.

(b) this sentence shall apply solely to issues which, under the conference agreement, require the consent of the two groups of

national shipping lines concerned, and not to all issues dealt with in the conference Agreement”.

Declaration:

“A. The Government of Spain considers that the United Nations Convention on a Code of Conduct for Liner Conferences provides the shipping lines of developing countries with ample opportunities to participate in the liner conference system, and that it has been drafted in such a manner as to regulate conferences and their activities within a system of free trade (where there are opportunities for non-conference shipping lines).

This Government also deems it essential to the functioning of the Code and of the conferences whose regulation is referred to that there should continue to be opportunities for fair competition on a commercial basis for non-conference shipping lines, and that shippers should not be denied an option in the choice between conference shipping lines and non-conference shipping lines, subject to any loyalty arrangements where they exist. These basic concepts are reflected in several provisions of the Code itself, including its objectives and principles, and are expressly set out in resolution No. 2, concerning non-conference shipping lines, adopted by the United Nations Conference of Plenipotentiaries.

B. This Government further believes that any regulation or other measures adopted by a Contracting Party to the United Nations Convention and having the purpose or effect of eliminating such opportunities for competition for non-conference shipping lines would be incompatible with the basic concepts mentioned above, and would effect a radical change in the circumstances under which conferences subject to the Code are envisaged as operative. Nothing in the Convention requires other Contracting Parties to accept either the validity of such regulations, or measures or situations whereby conferences, through such regulations or measures, would, in practice, acquire a monopoly on trades subject to the Code.

C. The Government of Spain declares that it will implement the Convention in accordance with the basic concepts and conclusions stipulated herein and that, accordingly, the Convention shall not prevent it from taking appropriate steps in the event that another Contracting Party adopts measures or practices which impede fair competition on a commercial basis in liner shipping service”.

(BOE 8 July 1994).

— Resolution MSC.21(59), adopted 22 May 1991, approving amendments to the International Convention on Training, Certification and Watchkeeping Standards for Seafarers, 1978 (BOE n. 201, 23.8.94).

Entry into force: 1 December 1992.

— Resolution A.736(18), adopted 4 November 1993, approving amendments to the International Regulations for the Prevention of Collisions at Sea, 1972 (BOE n. 249, 18.10.94).

Entry into force: 4 November 1995.

— Resolution MSC.27(61), adopted 11 December 1992, approving amendments to the International Convention for the Safety of Life at Sea, 1974 (BOE n. 279, 22.11.94).

Entry into force: 1 October 1994.

— Resolution MSC.26(60), adopted 10 April 1992, approving amendments to Chapter II—1 of the International Convention for the Safety of Life at Sea, 1974 (BOE n. 279, 22.11.94).

Entry into force: 1 October 1994.

— Resolution MSC.24(60), adopted 10 April 1992, approving amendments to Chapter II—2 of the International Convention for the Safety of Life at Sea, 1974 (BOE n. 279, 22.11.94).

Entry into force: 1 October 1994.

13. Air Traffic and Transport

— Announcement 20 April 1993 by the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* notifying the entry into force on 8 March 1993 of the Memorandum of Understanding according to the Agreement on air transport 20 February 1973 between the Kingdom of Spain and the United States of America, done at Madrid, 27 November 1991 (BOE n. 103, 30.4.93).

— Convention between the Arab Republic of Egypt and the Kingdom of Spain on air transport, done at El Cairo, 12 March 1991 (BOE n. 186, 5.8.93).

Entry into force: 19 May 1993.

— Agreement between the Kingdom of Spain and the Republic of Singapore, with memorandum, on air transport, signed in Madrid, 11 March 1992 (*BOE* n. 187, 6.8.93).

Definitive entry into force: 19 May 1993.

— Agreement between the Government of Spain and the Government of Malaysia on air transport, signed in Kuala Lumpur, 23 March 1993 (*BOE* n. 227, 22.9.93).

Entry into force: 14 June 1993.

— Agreement on air transport between the Government of the Kingdom of Spain and the Government of the Republic of Indonesia regarding regular air services, done at Madrid, 5 October 1993 (*BOE* n. 294, 9.12.93 and n. 120, 20.5.94).

Provisional application: 5 October 1993.

— Note Verbale 20 January and 28 December 1993 between the Embassy of the People's Republic of China in Madrid and the *Ministerio de Asuntos Exteriores* modifying the Annex to the Convention on civil air transport, signed in Beijing, 19 June 1978 (*BOE* n. 17, 20.1.94).

Entry into force: 28 December 1993.

— Agreement concluded by the Governments of the French Republic, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Spain and the Kingdom of Belgium concerning the Program Airbus A 320, signed in Bonn, 6 February 1991 (*BOE* n. 18, 21.1.94).

Entry into force: 5 October 1993.

Note: The Spanish contribution will be 4.48 % of the total cost and amount to 8,537,125,600 pesetas (approximately \$)

— Agreement between the Government of Spain and the Government of the United States of America on technical assistance in civil aviation, done at Madrid, 30 December 1993 (*BOE* n. 40, 16.2.94 and n. 112, 11.5.94).

Entry into force: 30 December 1993.

— Protocol to the Convention on international air services, 3 May

1971, between Spain and Guatemala, done at Guatemala, 18 February 1992 (*BOE* n. 230, 24.9.92).

Definitive entry into force: 18 January 1994 (*BOE* n. 42, 18.2.94).

14. Labour, Social Security and Emigration

Note: See also XXI. Labour Law and Social Security in the Section of Private International Law.

— ILO Convention N. 172 concerning working conditions at hotels, restaurants and similar establishments, adopted by the International Labour Conference on 25 June 1991 (*BOE* n. 50, 3.3.94).

Instrument of ratification: 17 May 1993.

Entry into force: 7 July 1994.

15. Health and Relief Cooperation

— Convention between the Kingdom of Spain and the Kingdom of Morocco on Technical Cooperation and Mutual Assistance in Matters of Civil Protection, done at Rabat, 21 January 1987 (*BOE* n. 45, 22.2.93).

Entry into force: 28 December 1992.

— Administrative Agreement between the Kingdom of Spain and the Republic of the Philippines for the application of the Convention of 20 May 1988 on social security, done at Madrid, 21 May 1991 (*BOE* n. 75, 29.3.93).

Entry into force: 1 April 1992.

— Protocol between the Kingdom of Spain and the Republic of Portugal on Technical Cooperation and Mutual Assistance in Matters of Civil Protection, done at Evora, 9 March 1992 (*BOE* n. 175, 23.7.93).

Entry into force: 2 July 1993.

Note: Abolishes the mutual assistance convention between Portuguese and Spanish firefighting and rescue services, signed in Lisbon 31 March 1980.

16. Narcotics

— Agreement between the Kingdom of Spain and the United States of America on cooperation to reduce the demand for narcotic drugs, signed in Madrid, 25 November 1991 (*BOE* n. 84, 8.4.93).

Entry into force: 7 May 1993.

— Treaty between the Kingdom of Spain and the Republic of Italy for repression of the illicit traffic of narcotics at sea, done at Madrid, 23 March 1993 (*BOE* n. 108, 6.5.94).

Instrument of ratification: 9 February 1994.

Entry into force: 7 May 1994.

Note: In accordance with the first two sections of art. 5,

“1. In the case of a well-founded suspicion that one of the activities listed in art. 2, were taking place, each contracting Party recognizes the other Party’s right to intervene on its own behalf in waters that are beyond the limits of its own territorial seas, and board vessels that are sailing under the auspices of the other State. This intervention does not affect the police authority that the legal system of each of the Parties attributes to the ships that sail under their flag.

2. In the exercise of said competency by war ships or military aircraft, or other ships or aircraft that are clearly marked and identifiable as aircraft pertaining to one of the Parties that have been authorized to carry out these functions, these can pursue, block and board a vessel, verify documents, interrogate individuals on board and if there are still reasonable suspicions, inspect the vessel and if necessary, confiscate the drugs, arrest all implicated individuals and, if appropriate, sail the ship to the closest suitable port and as soon as it is feasibly possible inform the State under whose flag the ship is sailing”.

The first two sections of art. 6 state:

“1. The Party that carries out any of the measures listed in article 5 can request that the State under whose flag the ship was sailing relinquish its preferential jurisdiction.

2. The State under whose flag the ship was sailing will study the request in good faith and will take into account in its decision, inter alia, the location where the vessel was seized, accessibility to the evidence, the possible accumulation of trials, and the nationality and place of residence of the individuals involved”.

17. Civil and Criminal Cooperation

Note: See II. International Jurisdiction, III. Procedure and Judicial Assistance, IV. Recognition and Enforcement of Foreign Judgments and Decisions and XXII. Criminal Law in Section on Private International Law.

— Second Supplementary Treaty on Extradition between the Kingdom of Spain and the United States of America, signed at Madrid, 9 February 1988 (*BOE* n. 156, 1.7.93 and 192, 12.8.93).

Instrument of ratification: 23 April 1993.

Entry into force: 2 June 1993.

Note: In accordance with art. 3:

Article IV of the Treaty on Extradition is replaced by the following:

None of the Contracting Parties will be required to turn over their own nationals, but the competent authorities of Spain or of the United States government will have the authority to turn them over if, in their judgement, they consider it appropriate to do so and provided that their own domestic law does not prohibit it. If extradition is refused exclusively on the basis of nationality, the State being petitioned must submit the case to its own authorities for criminal prosecution if the complainant State so requests.

Article 4 establishes the crimes that cannot be considered political for the purposes of granting exceptions to extradition.

— Exchange of Letters between the Kingdom of Spain and the Republic of France, 23 March and 3 May 1993, constituting an Agreement for the extension of the European Convention on Extradition to French overseas territories, 13 December 1957 (*BOE* n. 156, 1.7.93).

Entry into force: 1 August 1993.

— Exchange of Notes 30 April 1992 and 13 April 1993 between Spain and France, modifying article 11 of the Convention 17 June 1870 on Extradition (*BOE* n. 177, 26.7.93).

Entry into force: 30 June 1993.

Note: Paragraph 2 of art. 11 is modified in the following manner:

“In emergency situations, provisional detention will be carried out by means of a notice transmitted by mail or telegram or by the International Criminal Police Organization that an arrest warrant

has been issued. “

— Treaty on Extradition between the Kingdom of Spain and the Republic of Peru, signed in Madrid, 28 June 1989 (*BOE* n. 21, 25.1.94).

Instrument of ratification: 19 November 1993.

Entry into force: 31 January 1994.

Note: In conformity with art. 5, extradition will not be granted for crimes considered to be political in nature or connected in some way to crimes of this nature. However, under no circumstances will the following crimes be considered political: a) an attempt on the life of a Head of State or Government or a member of his or her family; b) acts of terrorism; c) war crimes and crimes committed against the peace and security of mankind.

XII. INTERNATIONAL ORGANIZATIONS

— Agreement between the Kingdom of Spain and the Western European Union regarding the cession of a piece of land located on the air base at Torrejón (Madrid) and of a building on the same base which is earmarked to become the headquarters for the Satellite Centre of the Western European Union, done at Madrid, 1 December 1992 (*BOE* n. 37, 12.2.93).

Provisional application: 1 December 1992.

Definitive entry into force: 10 January 1994 (*BOE* n. 56, 7.3.94).

— Convention for the establishment and another Convention for the operation of the Multilateral Investment Guarantee Agency (MIGA), done at Washington, 11 February 1992 (*BOE* n. 146, 20.6.94 and n. 184, 3.8.94).

Entry into force: 3 January 1994.

— Amendments to articles 24 and 25 of the World Health Organization, adopted on 12 May 1986 (*BOE* n. 298, 14.12.94).

Entry into force: 11 July 1994.

— Constitution of the UNESCO, adopted at London, 16 November 1946, with Amendments (*BOE* n. 300, 16.12.94).

XIII. EUROPEAN UNION

— Treaty on European Union, done at Maastricht, 2 February 1992 (BOE n. 11, 13.1.94 and n. 142, 15.6.94).

Instrument of ratification: 29 December 1992.

Entry into force: 1 November 1993.

— Protocol signed ad referendum in Oporto 17 March 1993, adapting the Agreement on the European Economic Area, done at Brussels, 2 May 1992 (BOE n. 21, 25.1.94).

Instrument of ratification: 26 November 1993.

Entry into force: 1 January 1994.

— Agreement of Association between the European Communities and its member States and the Republic of Hungary, done at Brussels, 16 December 1991 (BOE n. 106, 4.5.94).

— Agreement of Association between the European Communities and its member States and the Republic of Poland, done at Brussels, 16 December 1991. (BOE n. 106, 4.5.94).

— Act amending the Protocol on the Statute of the European Investment Bank, entitling the board of governors to establish a European Investment Fund, done at Brussels, 25 March 1993 (BOE n. 121, 21.5.94).

Instrument of ratification: 28 April 1994.

Entry into force: 1 May 1994.

— Treaty of Accession by the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, done at Corfu, 24 June 1994 (BOE n. 313, 31.12.94).

Instrument of ratification: 30 December 1994.

XIV. RESPONSIBILITY

XV. PACIFIC SETTLEMENT OF DISPUTES

XVI. COERCION AND USE OF FORCE SHORT OF WAR

XVII. WAR AND NEUTRALITY

— Announcement dated 2 April 1993 of the *Secretaría General Técnica del Ministerio de Asuntos Exteriores* of the withdrawal of the Spanish reservation to Protocol 17 June 1925 on the prohibition of the use in war of asphyxiating, poisonous, or other gases, and of bacteriological methods of warfare (BOE n. 91, 16.4.93).

Entry into force: 17 December 1992.

Note: The Spanish reservation was:

“[Spain] declares that the Protocol on the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods signed in Geneva on 17 June 1925, is *ipso facto* binding, without special convention in relation to any Member or State accepting and observing the same obligation, that is to say, subject to reciprocity”.

— Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, with Protocols I, II and III, signed at Geneva, 10 October 1990 (BOE n. 89, 14.4.94 and 107, 5.5.94).

Instrument of ratification: 3 December 1993.

Entry into force: 29 June 1994.