

No. 11931

**BELGIUM, LUXEMBOURG and NETHERLANDS
(BENELUX),
and
SPAIN**

**Exchange of letters constituting an agreement relating to the
abolition of passport requirements. Madrid, 27 June 1972**

Authentic texts : French and Spanish.

Registered by Belgium on 24 August 1972.

**BELGIQUE, LUXEMBOURG et PAYS-BAS
(BENELUX),
et
ESPAGNE**

**Échange de lettres constituant un accord relatif à la suppression de
l'obligation du passeport. Madrid, 27 juin 1972**

Textes authentiques : français et espagnol.

Enregistré par la Belgique le 24 août 1972.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE BENELUX COUNTRIES AND THE SPANISH GOVERNMENT RELATING TO THE ABOLITION OF PASSPORT REQUIREMENTS

I

EMBASSY
OF BELGIUM

ROYAL EMBASSY
OF THE NETHERLANDS

Sir,

We have the honour to inform you that the Governments of the Benelux countries, acting jointly under the Convention on the transfer of control of persons to the external frontiers of Benelux territory, signed at Brussels on 11 April 1960,² between the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, are prepared to conclude an agreement with the Spanish Government to facilitate the movement of their respective nationals.

To that end and bearing in mind the regulations resulting from the transfer of control of persons to the external frontiers of Benelux territory, we have the honour to propose the following :

1. Under the terms of this Agreement :

- “The Benelux countries” shall mean the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;
- “The territory of Benelux” shall mean the whole of the European territories of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;
- “The Spanish territory” shall mean the Spanish peninsula, Balearic Islands, Canary Islands, Ceuta and Melilla.

2. Nationals of the Benelux countries may, irrespective of their point of origin and for a stay not exceeding three months, enter and leave Spanish territory through all authorized frontier posts, the sole requirement being one of the following documents :

A. Belgians :

- (a) Valid national passport;
- (b) Belgian identity card issued by a Belgian communal administration or Belgian diplomatic or consular post;

¹ Came into force on 27 July 1972, i.e., 30 days after the exchange of the said letters, in accordance with their provisions.

² United Nations, *Treaty Series*, vol. 374, p. 3.

- (c) In the case of Belgian children under 12 travelling with their parents some proof of identity without a photograph.
- B. Luxembourgers :
- (a) Valid national passport ;
- (b) Luxembourg identity card.
- C. Netherlanders :
- (a) Valid national passport ;
- (b) Valid identity card (*toeristenkaart*).

3. Spanish nationals may, irrespective of their point of origin and for a stay not exceeding three months, enter and leave the territory of any of the Benelux countries through all authorized frontier posts, the sole requirement being a valid national passport or a valid Spanish identity document.

Implementation of this point shall be suspended as far as utilization of a Spanish identity document is concerned, until the 60th day following notification of the Belgian Government by the Spanish Government of the lifting of the suspension. The Belgian Government shall advise the Governments of the two other Benelux countries. Until the above-mentioned notification has been given, Spanish nationals must be in possession of a valid national passport in order to enter the Benelux countries.

4. Nationals of Benelux countries and Spanish nationals who intend to stay longer than three months in Spanish territory or in the territory of one of the Benelux countries, respectively, must be in possession of a valid national passport and have obtained the necessary authorization, prior to their departure, through the diplomatic or consular representative of the country they wish to enter; such authorization shall be granted free of charge.

5. Each Government reserves the right to refuse admission to its country to persons who do not possess the necessary travel document or who do not have adequate means of subsistence or the possibility of acquiring such means by legally authorized work or who are designated as undesirable or are deemed likely to endanger public law and order or national security.

6. Save as regards the foregoing provisions, the laws and regulations in force in the Benelux countries and Spain concerning the entry, temporary or permanent residence and deportation of aliens and the carrying on by them of an occupation, shall continue to apply.

7. Each Government undertakes to admit to its territory at any time and without formalities any person bearing one of the travel documents referred to in this Agreement and issued by that Government, and also persons who have been proved to be nationals of the country represented by that Government.

Each Government shall also admit persons no longer in possession of travel documents providing it has been established that they entered the territory of the other Contracting Party with the documents referred to in the above paragraph.

8. Insofar as relates to the Kingdom of the Netherlands, the application of this Agreement may be extended to Surinam and the Netherlands Antilles by notification from the Government of the Kingdom of the Netherlands to the Spanish Government.

9. Each of the Contracting Governments may suspend the application of this

Agreement by giving the Belgian Government 48 hours' advance notice through the diplomatic channel.

Suspension by a single Contracting Government shall entail suspension for the other Contracting Governments also.

However, the suspension shall not affect the provisions of paragraphs 7 and 10 of this Agreement.

The Belgian Government shall advise the other Contracting Governments of the receipt of the notification referred to in this paragraph. The same procedure shall be followed when the measure in question is revoked.

10. This Agreement shall enter into force 30 days after this exchange of letters, for a period of one year. Unless it has been denounced 30 days before the end of that period, it shall be deemed to have been extended indefinitely. After the initial period of one year any of the Contracting Governments may denounce the Agreement by giving 30 days' notice to the Belgian Government.

Denunciation by a single Contracting Government shall entail the abrogation of the Agreement.

The Belgian Government shall advise the other Contracting Governments of the receipt of the notifications referred to in this paragraph.

11. This Agreement abrogates the provisions of the arrangements concluded by an exchange of letters dated 27 May 1959¹ between the Spanish Government on the one hand and each of the Governments of the Benelux countries on the other.

If your Government is prepared to conclude an agreement along the lines of the above-mentioned provisions with the Governments of the Benelux countries, we have the honour to propose that this letter and your replies to each of us should constitute an Agreement between the Spanish Government and the Governments of the Benelux countries.

We take this opportunity, etc.

Madrid, 27 June 1972.

For the Government of the Kingdom of Belgium :

[Signed]

ROBERT VAES

For the Government of the Grand Duchy of Luxembourg :

[Signed]

E. J. BARON LEWE VAN ADUARD

For the Government of the Kingdom of the Netherlands :

[Signed]

E. J. BARON LEWE VAN ADUARD

His Excellency Mr. Gregorio López Bravo
Minister for Foreign Affairs
Madrid

¹ United Nations, *Treaty Series*, vol. 340, p. 81, and vol. 458, p. 165.

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MINISTRY OF FOREIGN AFFAIRS

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Madrid, 27 June 1972

Sir :

I have pleasure in acknowledging receipt of your note dated 27 June 1972 which reads as follows :

[See letter I]

I am pleased to inform you that I agree to the above.

I take this opportunity, etc.

[GREGORIO LÓPEZ BRAVO]
Minister for Foreign Affairs

His Excellency Mr. Robert Vaes
Ambassador of the Kingdom of Belgium in Madrid
