

No. 12842

**SPAIN
and
ECUADOR**

**Basic Agreement on technical co-operation. Signed at Quito
on 7 July 1971**

Authentic text: Spanish.

Registered by Spain on 28 November 1973.

**ESPAGNE
et
ÉQUATEUR**

**Accord de base relatif à la coopération technique. Signé à
Quito le 7 juillet 1971**

Texte authentique: espagnol.

Enregistré par l'Espagne le 28 novembre 1973.

[TRANSLATION—TRADUCTION]

BASIC AGREEMENT¹ ON TECHNICAL CO-OPERATION

The Government of Spain and the Government of the Republic of Ecuador,
Desiring to consolidate the friendly relations already existing between the
two Nations,

Considering it to be in their common interest to promote and stimulate the
progress and the social and economic development of each country,

Recognizing the mutual advantages which will result from a closer and more
coordinated technical co-operation to reach the mentioned goals;

Decide to conclude, in a spirit of friendly collaboration, a Basic Agreement
on technical co-operation, and, to that end, appoint as their Plenipotentiaries:

His Excellency the Head of the Spanish State: His Excellency Mr. Gregorio
López-Bravo de Castro, Minister for Foreign Affairs;

His Excellency the President of the Republic of Ecuador: His Excellency Dr. José
María Ponce Yépez, Minister for Foreign Affairs,

who, having exchanged their powers, found in good and due form, agree to the
following:

Article I. 1. The two Governments will provide mutual assistance and
co-operation, taking into account their technical and financial possibilities.

2. Co-operation and assistance carried on under this Agreement will consist
of common participation in technical matters, for the purpose of accelerating and
assuring the economic development and the social welfare of the two Nations.

3. Specific technical co-operation programmes and projects will be carried
on in accordance with the provisions of separate written supplementary
agreements, based on the present Agreement.

Article II. The participation of each Contracting Party in the financing of
the technical co-operation programmes and projects carried out under the
provisions of this Agreement shall be established, for each specific case, in
supplementary agreements, provided for in article I, paragraph 3, of this
Agreement.

Article III. With the purpose of giving systematic and regular support to the
technical co-operation activities carried out while this Agreement is in force, the
two Governments agree to the following:

- (a) To prepare jointly general programmes of technical co-operation in the last
month of the preceding year and take the necessary technical, financial and
administrative steps for the execution of the programmes and projects
specified in the supplementary agreements;
- (b) To take into account, in preparing the annual general programmes of technical
co-operation, the priorities accorded by each Government to national

¹ Came into force on 26 October 1972, the date of the last of the notifications by which each Government notified the other of the completion of its formal procedures, in accordance with article XI.

objectives, geographical areas, sectors of activity, types of collaboration and other matters of interest, in order to integrate the programme and specific projects in regional or national plans;

- (c) To establish the suitable procedure for the supervision and periodic analysis of the execution of programmes and projects, and, as appropriate, for reviewing them;
- (d) To provide each other periodically with information regarding technical co-operation activities carried out while this Agreement and the specific supplementary agreements are in force;
- (e) To establish the exchange, in the manner and at the interval determined by joint agreement between the two Governments, of all information concerning programmes and specific projects and to take appropriate steps to ensure fulfilment of the proposed objectives.

Article IV. In order to fulfil the undertakings referred to in the preceding article, a Mixed Commission shall be set up comprising representatives of the Contracting Parties. In principle, it shall meet once a year alternately in their respective capitals.

Article V. Each Government shall designate the national institution or organization which shall conclude specific additional agreements on particular subjects.

Article VI. The technical co-operation referred to in this Agreement and specified in the supplementary agreements may consist:

- (a) of making available the services of experts in order to render advice and assistance to the study, preparation and implementation of programmes and specific projects;
- (b) of organizing seminars, series of lectures, vocational training programmes and related activities in such places as may be designated by mutual agreement;
- (c) of awarding scholarships and fellowships to candidates from each country duly selected and appointed to participate in courses or programmes of vocational training, advanced training or specialization in the territory of the other country, the scholarships and fellowships to be granted to university-level candidates in the field of economic and social development;
- (d) of studying, preparing and executing technical projects in such places and subjects as may be mutually agreed upon;
- (e) of providing any other technical co-operation which may be mutually agreed upon.

Article VII. The technical personnel who are to render advice and assistance shall be selected by the Government of which they are nationals, after consultation with the other Government.

In the performance of their duties the technical personnel shall maintain close contact with the Government of the country in which those services are being rendered through the bodies designated by it and shall follow such instructions from that Government as may be foreseen in the supplementary agreements.

Article VIII. The technical personnel referred to in this Agreement shall consist of professors, experts and other technicians of one of the two countries assigned to work in the territory of the other, in order to prepare and implement

programmes and projects specified in the supplementary agreements pursuant to this Agreement.

Article IX. The technical personnel of each country who are sent on official service to the other may import at the time of their arrival or during the subsequent three months the following articles, exempt from the payment of customs duties and any other import taxes or duties and from consular or similar duties as well as from the need to request an advance import licence and authorization for payments in foreign currency:

- (a) personal and household goods and consumer goods brought into the country for the personal use of themselves and members of their families, including baggage, provided that they observe the formalities governing such matters;
- (b) one automobile per person or family group, imported for their personal use, provided that they remain in the country for at least one year. Such imports shall be authorized on a temporary basis and subject to the formalities in force in each of the two countries.

Upon the termination of their official duties, the same facilities shall be granted to the technical personnel for the exportation of the aforementioned goods, subject to the national legislation in force.

The technical personnel mentioned in this article and the members of their families living with them shall be exempt from the taxes levied by the receiving State on income received from abroad, salaries, subsistence allowances and other emoluments paid by the country which is sending such personnel.

The assistance and allowances granted, by way of local costs, to the technical personnel referred to in this article in consideration of the cost of living in the country, shall be determined for each specific case, by mutual agreement between the two Governments, and shall in no case exceed the assistance or cost-of-living allowances granted to national experts of each country belonging to the same category.

The supplementary agreements referred to in article I, paragraph 3, shall determine the body or institution which shall be responsible for medical and hospital care in case of accident or illness resulting from the performance of the normal duties of the technical personnel of the other country or from the conditions of the local environment.

The same supplementary agreements shall also determine the body or the institution which shall provide the technical personnel of the other country and their families with suitable accommodation or housing or, where this is not possible, assistance in cash to enable them to obtain housing or payment of rentals.

Article X. This Agreement and any supplementary agreements may be modified by written agreement between the two Governments.

Article XI. Each Government shall notify the other of the completion of formal procedure for the coming into force of the present Agreement, which shall take place on the date of the last notification.

Article XII. This Agreement may be denounced by either Party. The denunciation shall take effect six months after the date on which the interested Government notifies the other in writing of its intention to denounce the Agreement.

Such notice shall not affect the programmes and projects in execution except when it refers to them expressly.

IN WITNESS WHEREOF the Plenipotentiaries of the two Governments have signed this Agreement and affixed thereto their respective seals.

DONE at Quito on 7 July 1971, in duplicate in the Spanish language, both copies being equally authentic.

For the Government
of Spain:

[*Signed*]

GREGORIO LÓPEZ-BRAVO DE CASTRO
Minister for Foreign Affairs

For the Government
of the Republic of Ecuador:

[*Signed*]

JOSÉ MARÍA PONCE YÉPEZ
Minister for Foreign Affairs