

No. 13713

**BRAZIL
and
SPAIN**

**Basic Agreement on technical co-operation. Signed at
Brasília on 1 April 1971**

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 31 December 1974.

**BRÉSIL
et
ESPAGNE**

**Accord de base relatif à la coopération technique. Signé à
Brasília le 1^{er} avril 1971**

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 31 décembre 1974.

[TRANSLATION — TRADUCTION]

BASIC AGREEMENT¹ ON TECHNICAL CO-OPERATION BETWEEN
THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF
BRAZIL AND THE GOVERNMENT OF SPAIN

The Government of the Federative Republic of Brazil and the Government of Spain,

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 their respective countries,

Recognizing the mutual advantages which will result from closer and more co-ordinated technical co-operation to achieve the above-mentioned aims,

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 President of the Federative Republic of Brazil: His Excellency Mr. Mario Gibson Barboza, Minister for Foreign Affairs:

His Excellency the Head of the Spanish State:

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

Who, having exchanged their full powers, found in good and due form, agree on the following:

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

2. Co-operation and assistance provided while this Agreement is in force shall consist of joint participation in technical matters, for the purpose of accelerating and ensuring the economic development and social welfare of the two nations.

3. Specific technical co-operation programmes and projects shall be carried out in accordance with the provisions of separate supplementary agreements in writing, 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, as provided for in article I, paragraph 3, of this Agreement.

Article III. For the purpose of giving systematic and regular support to the technical co-operation activities undertaken while this Agreement is in force the two Governments agree as follows:

(a) to prepare jointly general programmes of technical cooperation in the last month of the preceding year and to take the necessary technical, financial and administrative steps for the execution of the programmes and projects specified in the supplementary agreements;

¹ Came into force on 3 July 1973, the date of the last of the notifications by which each Government informed the other of the completion of the required formalities, in accordance with article X.

- (b) to take into account, in preparing the annual general programmes of technical co-operation, the priorities accorded by each Government to national objectives, geographical areas, sectors of activity, types of collaboration and other matters of interest, in order to integrate the programme and specific projects with regional or national plans;
- (c) to establish suitable procedures for supervising and periodically reviewing the execution of programmes and projects and, if necessary, for revising 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 intervals determined by 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, there shall be established a Mixed Commission, comprising representatives of the Contracting Parties, which, in principle, shall meet once a year, alternately in the respective capitals.

Article V. The technical cooperation referred to in this Agreement, as specified in the supplementary agreements, may consist of:

- (a) The exchange of technicians to provide consultative and advisory services for the study, preparation and implementation of specific programmes and projects.
- (b) The organization of seminars, lecture courses, vocational training programmes and other similar activities at such places as may be designated by mutual agreement.
- (c) The award of 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 shall be awarded to university-level candidates in the field of economic and social development.
- (d) The study, preparation and execution of technical projects at such places and on such subjects as may be agreed upon by the two countries.
- (e) Any other technical co-operation activities which may be agreed upon by the two countries.

Article VI. The technical personnel who are to provide consultative and advisory services 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 they are serving, through the bodies designated by it, and shall follow the instructions of that Government as provided for in the supplementary agreements.

Article VII. The technical personnel referred to in this Agreement shall consist of teaching staff, 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 the programmes and projects specified in the supplementary agreements pursuant to this Agreement.

Article VIII. 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 six months the following articles, exempt from payment of customs duties and any other import taxes or duties and of consular or similar fees, and without the need to request an advance import license and a permit for payments in foreign currency:

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

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

The technical personnel referred to in this article and members of their families forming part of their household shall be exempt from any taxes which could be levied by the host State on income received from abroad and on the salaries, subsistence allowances and other emoluments paid by their country of origin.

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

The body or institution with which the technical personnel are serving shall be responsible for medical and hospital care in case of accident or illness resulting from the normal performance of their duties or from the conditions of the local environment.

The body or institution with which the technical personnel of the other country are serving shall provide their families with suitable accommodation or housing or, where this is not possible, with cash assistance to obtain or to pay the cost of renting such accommodation.

Article IX. This Agreement and any supplementary agreements may be amended by agreement in writing between the two Governments.

Article X. Each Government shall notify the other of the completion of the formalities required for the entry into force of this Agreement, which shall take place on the date of the last notification.

Article XI. This agreement may be denounced by either Party.

The denunciation shall take effect six months after the date on which the Government concerned notifies the other in writing of its intention to denounce the Agreement.

The denunciation shall not affect programmes and projects already in progress, except when it refers to them expressly.

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

DONE at Brasília on 1 April 1971, in duplicate in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic
of Brazil:

MARIO GIBSON BARBOZA

For the Government
of Spain:

GREGORIO LÓPEZ BRAVO
