

No. 15128

**SPAIN
and
ECUADOR**

**Agreement on cultural co-operation. Signed at Madrid on
14 July 1975**

Authentic text: Spanish.

Registered by Spain on 26 November 1976.

**ESPAGNE
et
ÉQUATEUR**

Accord de coopération culturelle. Signé à Madrid le 14 juillet 1975

Texte authentique : espagnol.

Enregistré par l'Espagne le 26 novembre 1976.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CULTURAL CO-OPERATION BETWEEN SPAIN AND ECUADOR

The Governments of the Spanish State and the Republic of Ecuador, aware of the historical bonds uniting their peoples, especially that of a common language, and convinced of the need to use every means to achieve better mutual understanding and develop activities in the educational, scientific, literary and artistic fields, have decided to conclude this Agreement on Cultural Co-operation.

Article 1. The Contracting Parties shall promote activities which contribute to a better understanding of every aspect of their common cultural heritage.

Article 2. The Contracting Parties shall, as far as lies within their power and in order to contribute to the attainment of the aims of this Cultural Agreement, facilitate and promote visits by and exchanges of teachers, scientists, researchers, technicians, writers, artists and intellectuals of the two countries. They shall likewise encourage all types of exhibitions, theatrical performances, concerts and folklore presentations, and, in general, any activity intended to make their respective cultural values widely known and understood. They shall also promote visits and performances by orchestras and musical, folklore or theatrical groups and ensembles, making special arrangements to facilitate the completion of customs, fiscal or other administrative formalities.

Article 3. The Contracting Parties shall make appropriate facilities available in order to increase the exchange, display, distribution and sale of books, brochures, journals and periodicals of a scientific, educational or artistic nature.

They shall also promote, as a matter of priority, the establishment of joint publishing companies, with a view to a comprehensive publication programme for cultural and scientific books of an educational nature.

Article 4. The Contracting Parties shall watch over the purity and integrity of their common language and shall at the same time attend to the promotion of Spanish as an international language. To that end, they shall give their support to cultural institutions devoted to that purpose, especially their respective language academies, by providing special facilities to their members on any visits they may make from one country to the other for the purpose of work related to the objectives and aims of this Agreement.

Article 5. The Contracting Parties shall facilitate access to their historical records in accordance with the internal laws and regulations of each country, and shall encourage initiatives in scientific, cultural and technological research.

Article 6. The Contracting Parties shall promote anthropological studies and the exchange of specialists in the field. They shall also assist each other in the conservation of cultural assets.

¹ Came into force on 14 October 1976 by the exchange of the instruments of ratification, which took place at Quito, in accordance with article 23.

Article 7. The Contracting Parties shall promote the establishment of national centres for scientific and technological information with an Ibero-American orientation, using, as appropriate, computers and information retrieval in those fields, with a view to initiating exchanges of such information and furthering development.

Article 8. The Contracting Parties shall promote familiarity with and exchanges of cinema, radio and television material of educational and cultural value.

They shall at the same time arrange for appropriate facilities, considerations or exemptions for information agencies that help to promote mutual understanding between the two peoples, and shall give special treatment to any such agencies belonging to a joint information system.

Article 9. The Contracting Parties shall encourage tourism on a reciprocal basis and shall promote the exchange of their respective professional and technical experiences in the field of tourism, as well as co-operation between their radio and television stations for the purpose of broadcasting programmes of mutual interest on tourism, culture, art and sports.

Article 10. The Governments of the Contracting Parties undertake to work closely to prevent and curb, in accordance with the legislation of each country, the illegal traffic in works of art, documents, books and other objects of historical, archaeological or artistic value. They shall also agree on the most appropriate reciprocal measures to achieve such aims and to facilitate the restitution to the country of origin of any of the aforementioned objects that were illegally exported and are to be found in their territories.

Article 11. The works of authors of each Contracting Party shall enjoy such protection from the other Party as the latter grants to the works of its nationals. The works referred to in this article are those in the fields of education, science, technology, literature and art. Each Contracting Party therefore undertakes to ensure the best and the most effective protection of the copyrights or intellectual property rights of citizens of the other country, on equal terms with its nationals and in accordance with the provisions of the Geneva Copyright Convention.¹

Article 12. The Contracting Parties shall determine, in accordance with their respective legislations, the manner in which their historical, archaeological, bibliographical and documentary heritage will be made available for cultural exchanges.

Article 13. The Contracting Parties shall make arrangements to set up, in accordance with their respective legislations, educational establishments whose programmes of study shall be recognized in both countries.

They shall likewise carry out joint studies and co-operative projects on higher education, leading to parallel teaching procedures at that educational level, either through already existing institutions or through institutions which may be established for that purpose in either country.

Article 14. The two Parties shall provide the necessary facilities for establishing, organizing and operating institutions with the primary purpose of making cultural elements of common interest more widely known. Such institutions may be

¹ See the "Universal Copyright Convention, signed at Geneva on 6 September 1952", in United Nations, *Treaty Series*, vol. 216, p. 132.

given official status and may have among their members nationals of either country, without distinction.

The facilities and considerations specified in the preceding paragraph shall be granted to the Casa de la Cultura in Ecuador upon application through the diplomatic channel. The Ecuadorian Party to this Agreement takes note of the fact that the Instituto de Cultura Hispánica in Madrid is equipped to handle cultural relations and exchanges that may be of interest to official Ecuadorian institutions.

Article 15. The Contracting Parties shall encourage the holding of sporting events between the two countries by providing sportsmen, technicians and managers with the most extensive facilities for the accomplishment of their mission.

Article 16. Each Contracting Party shall recognize in its country courses at the primary and secondary levels taken in the other country, upon submission of documentary proof duly certified and authenticated through the diplomatic channel. With regard to higher education, the Contracting Parties shall recognize the validity and equivalency of the entire curriculum followed and the degrees or diplomas obtained in either country in accordance with its established prerequisites.

The criteria for such recognition and equivalency shall be periodically reviewed and brought up to date by the Mixed Commission provided for in article 20.

Article 17. Each Contracting Party shall validate in its country, through the higher educational establishments, the partial studies undertaken in the other country, by recognizing credits, courses, subjects and tables of equivalencies drawn up for that purpose.

Article 18. Each Contracting Party shall award annual grants or fellowships to enable teachers of the other Party to give courses at educational establishments or cultural institutions, and to enable graduates or students to pursue their studies or receive advanced training. To that end, each Party shall establish an order of priorities, to be decided upon by the competent authorities, in the specialized fields deemed most important. The other Party shall undertake to give preference to this programme in awarding its own fellowships.

In Ecuador the Instituto Ecuatoriano de Crédito Educativo y Becas (IECE) (Ecuadorian Institute for Educational Loans and Fellowships) shall handle the arrangements for fellowships granted under this Agreement to Ecuadorian students or professionals. The corresponding agencies shall do likewise in Spain.

Article 19. The Contracting Parties have agreed to promote the establishment in Madrid of an Ecuadorian students' hall of residence to be governed by the provisions agreed upon by both Parties.

Article 20. For the purpose of implementing and developing the provisions of this Cultural Agreement, the Contracting Parties shall establish a Permanent Mixed Commission composed of a Spanish section with headquarters in Madrid and an Ecuadorian section with headquarters in Quito, which may meet separately as often as necessary and jointly in plenary session in either of the two capitals.

Each section shall have three members designated by the Government of the headquarters country, plus one member from the diplomatic mission of the other country.

Should both Parties decide by mutual agreement to hold a plenary session, three months' notice of the decision shall be given through the diplomatic channel.

Article 21. The Permanent Mixed Commission, both in plenary sessions and in meetings of its sections, shall draft and adopt executive programmes specifying activities to be carried out or exchanges to be made at specific intervals.

Article 22. On the date of its entry into force, this Agreement shall supersede the Cultural Agreement concluded between the Governments of Spain and Ecuador on 5 May 1953 and the Additional Protocols of 6 December 1954 and 7 July 1971.

Article 23. This Cultural Agreement shall enter into force on the date of the exchange of the instruments of ratification and shall be valid for periods of five years renewable by tacit agreement, unless one of the Parties notifies the other, one year before the beginning of the next five-year period, of its desire to terminate the Agreement.

IN WITNESS WHEREOF the representatives of the two Governments have signed this Agreement in two equally authentic copies in the city of Madrid on 14 July 1975.

For the Government
of the Spanish State:

[Signed]

PEDRO CORTINA MAURI
Minister
for Foreign Affairs

For the Government
of the Republic of Ecuador:

[Signed]

LUIS-JACOME CHÁVEZ
Ambassador
of the Republic of Ecuador
to Spain