

**No. 15711**

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**SPAIN  
and  
ROMANIA**

**Agreement on trade and long-term economic, industrial and technological co-operation. Signed at Bucharest on 19 January 1977**

*Authentic texts: Spanish and Romanian.*

*Registered by Spain on 23 May 1977.*

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**ESPAGNE  
et  
ROUMANIE**

**Accord relatif au commerce et à la coopération économique, industrielle et technologique à long terme. Signé à Bucarest le 19 janvier 1977**

*Textes authentiques : espagnol et roumain.*

*Enregistré par l'Espagne le 23 mai 1977.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON TRADE AND LONG-TERM ECONOMIC,  
INDUSTRIAL AND TECHNOLOGICAL CO-OPERATION  
BETWEEN THE GOVERNMENT OF THE KINGDOM OF  
SPAIN AND THE GOVERNMENT OF THE SOCIALIST RE-  
PUBLIC OF ROMANIA

The Government of the Kingdom of Spain and the Government of the Socialist Republic of Romania, hereinafter called the "Contracting Parties";

Bearing in mind their traditional links in the sphere of economic relations;

Desiring to develop and diversify trade and economic, industrial and technological co-operation between the two countries, on the basis of mutual respect for the principles of sovereignty, of national independence, of non-interference in the internal affairs of the other country and of equality of rights and mutual advantage;

Bearing in mind also that both countries are members of the General Agreement on Tariffs and Trade (GATT),<sup>2</sup> the International Monetary Fund and the International Bank for Reconstruction and Development;<sup>3</sup>

Desiring to utilize as efficiently as possible the opportunities arising from the economic potential and technical progress of both countries in order to intensify economic, industrial and technological co-operation, which they consider to be of great importance for the expansion of their economic collaboration;

Bearing in mind the provisions of the Final Act of the Conference on Security and Co-operation in Europe<sup>4</sup>, concerning trade and economic, industrial and technological co-operation;

Recognizing the usefulness of long-term bilateral agreements in increasing the volume and stability of trade in goods and services and in laying sound foundations for the development of economic, industrial and technological co-operation;

Have agreed as follows:

*Article I.* The two Parties shall adopt, within the framework of the regulations in force in each of the two countries, all appropriate measures to facilitate and promote the continuous, harmonious and most balanced growth possible and the diversification of trade in goods and services and increased economic co-operation between the two countries, in accordance with the provisions of this Agreement.

*Article II.* In order to ensure favourable conditions for the development of trade, the Contracting Parties shall grant each other most-favoured-nation

<sup>1</sup> Applied provisionally from 19 January 1977, the date of signature, and came into force definitively on 28 April 1977, the date of the last of the notifications by which the Parties informed each other of the completion of their internal constitutional formalities, in accordance with article XVIII.

<sup>2</sup> United Nations, *Treaty Series*, vol. 55, p. 187.

<sup>3</sup> *Ibid.*, vol. 2, p. 39.

<sup>4</sup> *International Legal Materials*, vol. 14, 1975, p. 1292.

treatment in accordance with the provisions of the General Agreement on Tariffs and Trade (GATT).

Most-favoured-nation treatment shall not apply:

- to any advantages arising from the future membership of one of the two Contracting Parties in customs unions or free trade zones,
- to advantages being granted at present or granted in future by one of the Contracting Parties to third countries with a view to facilitating frontier traffic with neighbouring countries.

In accordance with the purpose and objectives of this Agreement, the Contracting Parties shall likewise grant each other most-favoured-nation treatment in their economic, industrial and technological relations.

*Article III.* Similarly, bearing in mind the fact that both countries are members of GATT, trade in goods and services between them shall be conducted on the same terms as are applied by both countries to other States members, to wit, without discriminatory quantitative restrictions on imports, trade in all goods being admissible.

Spain shall apply to the import of goods originating in and exported from Romania the same degree of liberalization and the same special treatment granted to member countries of OECD and shall automatically grant import licences for liberalized goods.

With respect to goods originating in and exported from Romania which, under the Spanish legislation in force, are subject to import regulations other than those applicable to liberalized goods, the Spanish authorities shall grant import licences without discrimination, in the same manner as to member countries of OECD.

Romania shall apply to the import of goods originating in and exported from Spain the same treatment as is applicable to similar goods imported from other countries enjoying most-favoured-nation treatment.

With respect to trade in goods or services in connexion with contracts for economic, industrial and technological co-operation, the competent bodies of both countries shall give favourable consideration to granting the necessary import licences or licences for the transfers of funds.

*Article IV.* Trade between the two countries shall be conducted in conformity with the provisions of this Agreement and of GATT and with contracts concluded between agencies and natural and juridical persons of the two Contracting Parties empowered to engage in foreign trade transactions.

The goods traded shall be for consumption within the importing country and shall not be re-exported to third countries without the prior agreement of the country of origin.

*Article V.* Both Parties shall encourage the conclusion of long-term contracts with a view to consolidating lasting ties between the enterprises, agencies and institutions of the two countries.

*Article VI.* In order to contribute to the development of trade and to increased mutual awareness of prospects for expanding economic, industrial and technological co-operation, both Contracting Parties shall encourage the organ-

ization of and participation in fairs and exhibitions and shall assist in the organization and conduct of such events, granting participants from the other Contracting Party the most favourable terms of possible participation.

*Article VII.* In accordance with the international agreements to which they are Parties, the Contracting Parties shall grant each other such facilities as are envisaged in their respective legislation in force and are deemed necessary for the purpose of transactions under schemes providing for the temporary import or import for finishing purposes of goods and products from the other Contracting Party.

*Article VIII.* The two Contracting Parties, recognizing that an intensified exchange of information on trade and on economic, industrial and technological co-operation is useful for the further development of economic relations, shall facilitate the dissemination, through buyers, sellers and competent organizations in their countries, of information received from institutions and enterprises of the other country.

Both Contracting Parties shall likewise encourage collective or individual visits for business purposes by representatives of the enterprises or organizations concerned in both countries and shall give as much support as possible to such visits and missions.

*Article IX.* All payments for goods and services and those relating to economic, industrial and technological co-operation shall be made in freely convertible currency, in accordance with the laws and provisions in force in both countries.

*Article X.* The two Contracting Parties express their determination to continue developing economic, industrial and technological co-operation between their countries and to encourage by every means available to them the expansion and intensification of such co-operation between the enterprises, organizations and institutions concerned.

*Article XI.* The two Contracting Parties agree that co-operation between their countries shall be carried out, in particular, through:

- (a) the construction, modernization and expansion of industrial complexes, part of the production of which would, as an exceptional measure, be imported by the other country or sold in third markets by industrial enterprises or organizations of the other country as a means of acquiring resources of their own with which to finance the capital goods and services supplied;
- (b) exchanges of licences, know-how and the like, with or without exchanges of parts and shares and of patents;
- (c) sub-contracting of parts or components;
- (d) co-production, with or without marketing, in either country or in third markets;
- (e) specialization in production through the manufacture of specific models or types, with or without marketing, in either country or in third markets;
- (f) joint supply to third markets;
- (g) establishment of semi-public companies for production and/or marketing.

*Article XII.* Both Contracting Parties shall determine which specific sectors are of mutual interest for the purpose of developing and expanding economic, industrial and technological co-operation and shall give special support to proposals for co-operation in those sectors.

Special interest shall be attached to the following sectors: machine construction, agricultural machinery, transport equipment, the electrical and electronic sector, chemicals, metallurgy, light industry, mineral prospecting and development, and tourism.

In designing and carrying out co-operation projects, account shall be taken of the economic potential of both countries, the resources and requirements for equipment, machinery, consumer goods, technical processes and raw materials, and the marketing prospects for the products resulting from the projects.

The Joint Commission referred to in article XVI shall recommend other sectors as further opportunities occur.

*Article XIII.* The two Parties shall support joint proposals by enterprises of both countries for co-operation in third markets. To that end, they shall transmit to each other on a continuing basis any data of interest to the enterprises of each country, bearing in mind their capabilities and their experience.

*Article XIV.* The terms of each co-operation project carried out within the framework of this Agreement shall be agreed upon by contracts between the enterprises, organizations and individual institutions of the two countries.

*Article XV.* The two Contracting Parties, recognizing the importance of satisfactory financing terms for the implementation of the co-operation contracts, shall encourage the granting of the most favourable financing and credit terms possible under the legislation in force in their respective countries to enterprises, organizations and institutions that have concluded such contracts.

*Article XVI.* The two Contracting Parties decide to establish a Joint Commission, which shall meet once a year in plenary session alternately in Romania and Spain or at special sessions at the request of either Party.

The functions of the Joint Commission shall be:

- to review the implementation of this Agreement;
- to review the development of trade and of economic, industrial and technological co-operation between the two countries;
- to draw up specific programmes for expanding trade in the most balanced manner possible and for economic, industrial and technological co-operation and to identify new projects for co-operation on a bilateral basis or in third markets;
- to consider any other question arising from the implementation of this Agreement submitted by one Contracting Party to the other.

The Joint Commission may, if it deems it necessary, set up sub-commissions and working groups to consider problems arising from trade relations and economic, industrial and technological co-operation relations between the two countries and to draw up proposals to promote the development of those relations.

*Article XVII.* The Contracting Parties are aware of the importance of scientific and technical co-operation between institutions and enterprises of the

two countries to the development of trade and economic, industrial and technological co-operation between them. Until such time as an agreement on scientific and technical co-operation is concluded between the two countries, the Contracting Parties shall provide maximum facilities for the drawing up of any specific agreements aimed at enhancing the progress of scientific and technical co-operation between the two countries.

*Article XVIII.* This Agreement shall be applied provisionally from the date of its signature and shall enter into force on the date of the later notification concerning the completion of the internal constitutional formalities in each of the two countries.

The period of validity of this Agreement shall be 10 years.

This Agreement shall be extended by tacit agreement for successive periods of one year, unless one of the two Contracting Parties denounces it in writing at least three months before the expiry date of any one-year period.

The expiry of this Agreement shall not affect the fulfilment of contracts and commitments previously entered into by the economic organizations, institutions and enterprises of the two countries.

DONE at Bucharest on 19 January 1977 in two original copies in the Spanish and Romanian languages, both texts being authentic.

For the Government  
of the Kingdom of Spain:

[Signed]

JOSÉ LLADO  
Minister of Trade

For the Government  
of the Socialist Republic  
of Romania:

[Signed]

ION PATAN  
Deputy Prime Minister

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