

**No. 17765**

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**SPAIN  
and  
GUATEMALA**

**Basic Agreement on technical co-operation. Signed at  
Guatemala City on 12 September 1977**

*Authentic text: Spanish.*

*Registered by Spain on 19 April 1979.*

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**ESPAGNE  
et  
GUATEMALA**

**Accord de base relatif à la coopération technique. Signé à  
Guatemala le 12 septembre 1977**

*Texte authentique : espagnol.*

*Enregistré par l'Espagne le 19 avril 1979.*

[TRANSLATION — TRADUCTION]

BASIC AGREEMENT<sup>1</sup> ON TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA

The Government of Spain and the Government of the Republic of Guatemala,  
Mindful of the close historical links uniting Spain and the Republic of Guatemala,

Desiring to strengthen the close relations of friendship existing between their respective countries,

Aware of their common interest in promoting the economic and social development of both countries,

Recognizing the reciprocal advantages which will ensue from the co-ordinated exchange of scientific, technical and practical knowledge in achieving the above-mentioned objectives,

Have agreed as follows:

*Article I.* 1. The two Parties shall give each other technical co-operation in all spheres of interest to both countries.

2. The two Parties shall jointly prepare and execute technical co-operation programmes and projects with a view to speeding up and ensuring the economic development and social well-being of both nations.

3. Specific technical co-operation programmes and projects shall be executed in accordance with the provisions of this Agreement and of any supplementary agreements concluded separately and in writing between the competent authorities of the two Parties on the basis of this Agreement.

*Article II.* The technical co-operation provided for in this Agreement and in any supplementary agreements deriving therefrom may include:

- (a) The exchange of scientific and technological information, which shall be conducted by agencies designated by both Parties, such as institutes of research and technology, documentation centres and specialized libraries;
- (b) The exchange of technicians and experts, who shall provide consultancy and advisory services in the planning, preparation and execution of specific programmes and projects;
- (c) The organization of seminars, symposia, vocational training programmes and other similar activities;
- (d) The granting of fellowships or grants to candidates from both countries who have been duly selected and designated to participate, in the other country, in courses or periods of vocational, practical or specialized training in fields of common interest;

<sup>1</sup> Came into force on 8 February 1979, the date of the last of the notifications by which the Parties informed each other of the completion of their required constitutional or legal formalities, in accordance with article XI.

- (e) The study, preparation and joint or co-ordinated execution of research and/or development programmes and projects;
- (f) The supply or exchange of materials and equipment needed to carry out the co-operation in question;
- (g) The joint use, under appropriate prior agreements, of scientific and technical facilities;
- (h) Any other technical co-operation activity to which the two countries may agree.

*Article III.* The exchange of scientific and technological information provided for in the previous article shall be governed by the following rules:

1. The Parties may communicate the information they receive to public agencies or institutions and to public enterprises in which the Government holds decision-making powers.

2. The Parties may limit or prohibit the dissemination of information specified in supplementary agreements drawn up in pursuance of article I, paragraph 3.

3. The dissemination of information may also be prohibited or limited when the other Party, or organizations designated by it, so decide either before or during such exchange of information.

4. Each Party shall guarantee to the other that the persons authorized to receive information will not communicate it to agencies or persons not authorized to receive it under the terms of this article.

*Article IV.* The Parties may, if they deem it necessary, request the participation of international agencies in the financing and/or execution of programmes and projects deriving from the technical co-operation arrangements envisaged in this Agreement or in the supplementary agreements deriving therefrom.

*Article V.* The participation of each Party in the financing of technical co-operation programmes and projects executed in accordance with the provisions of this Agreement shall be laid down, in each case, in the supplementary agreements provided for in article I, paragraph 3.

*Article VI.* 1. A Joint Spanish-Guatemalan Commission shall be established, with representatives of the two Parties, and shall meet alternately in Spain and in the Republic of Guatemala, at least once a year, with a view to:

- (a) Identifying and defining sectors in which specific technical co-operation programmes and projects could be carried out and ranking them in order of priority;
- (b) Proposing, considering and approving technical co-operation programmes and projects;
- (c) Evaluating the results of the execution of specific projects, with a view to the best possible return from activities undertaken within the framework of this Agreement.

2. Each of the Parties may at any time submit proposals for technical co-operation to the other Party, using the normal diplomatic channels.

*Article VII.* Technicians and experts sought to provide consultancy and advisory services shall be selected by the sending Party, taking into account the

specifications cited in the request. That Party shall transmit their names and qualifications to the other Party for prior approval.

In performing their functions, such personnel shall maintain close relations with the competent authorities of the country in which they are serving and shall follow their instructions with a view to fulfilling the provisions of this Agreement and the supplementary agreements deriving therefrom.

*Article VIII.* For the purposes of implementing the programmes and projects provided for in this Agreement and in the supplementary agreements deriving therefrom, the following rules shall be observed:

1. Articles required to implement programmes and projects which are sent by one Party to the other shall be exempt from customs duties or any other charge, fee or tax and may not be ceded or transferred, whether against payment or free of charge, within the territory of the recipient country.

2. Wages which technicians, experts and research workers, sent by one of the Parties to the territory of the other to execute programmes and projects, receive from their own country shall not be subject to income tax in the recipient country.

3. In accordance with their respective legislations, both Parties shall allow technicians, experts and research workers employed on the execution of programmes and projects to import, free of import duties and taxes, the following articles:

- (a) Their own and their family members' personal effects, subject to compliance with the relevant formalities;
- (b) One motor car per person or family group, imported for personal use. Such import shall be authorized on a temporary basis and subject to the formalities in force in each of the two countries.

Once the official mission is ended, similar facilities shall be provided for the re-export of the above-mentioned articles.

4. The Parties shall allow the free transfer to the country of origin of remuneration received by technicians, experts and research workers in the performance of their functions.

5. Each Party shall grant technicians, experts and research workers sent by the other such further facilities as the administrative authorities of the recipient country may later grant to personnel serving in pursuance of bilateral technical co-operation.

6. The exemptions and facilities listed in the foregoing paragraphs shall be granted by the Parties on a reciprocal basis and in accordance with the domestic legislation of their respective countries.

*Article IX.* Each of the Parties shall take the measures necessary to facilitate entry, sojourn, life insurance, social security benefits and movement for technicians, experts and research workers of the other Party who are carrying on their activities within the framework of this Agreement and the supplementary agreements deriving therefrom, subject to the provisions concerning aliens of their respective legislation.

*Article X.* The competent authorities of each Party shall, in accordance with the domestic legislation in force in the two countries, programme and co-ordinate

the execution of the international technical co-operation activities provided for in this Agreement and in the supplementary agreements deriving therefrom and shall make the necessary arrangements to that end. The competent authority, in the case of Spain, shall be the Ministry of Foreign Affairs and, in the case of the Republic of Guatemala, the Ministry of Foreign Affairs, in co-ordination with their respective departments.

*Article XI.* This Agreement shall enter into force on the date on which the two Parties notify each other that they have complied with the constitutional or legal formalities required to that end.

*Article XII.* 1. This Agreement shall be valid for a period of five years, which shall be extended automatically for periods of one year unless one of the Parties notifies the other in writing, at least three months in advance, that it desires otherwise.

2. This Agreement may be denounced in writing by either of the Parties and shall cease to have effect three months after the date of denunciation.

3. Denunciation shall not affect ongoing programmes or projects unless the Parties agree otherwise.

DONE at Guatemala City on 12 September 1977, in two Spanish originals, both being equally authentic.

For the Government  
of Spain:

[Signed]

MARCELINO OREJA AGUIRRE  
Minister for Foreign Affairs

For the Government  
of the Republic of Guatemala:

[Signed]

ADOLFO MOLINA ORANTES  
Minister for Foreign Affairs