

No. 18740

**SPAIN
and
EQUATORIAL GUINEA**

Agreement on facilities and immunities applicable to technical co-operation. Signed at Santa Isabel on 24 July 1971

Authentic text: Spanish.

Registered by Spain on 23 April 1980.

Termination of the above-mentioned Agreement

**ESPAGNE
et
GUINÉE ÉQUATORIALE**

Accord relatif aux facilités et immunités accordées dans le cadre de la coopération technique. Signé à Santa Isabel le 24 juillet 1971

Texte authentique : espagnol.

Enregistré par l'Espagne le 23 avril 1980.

Abrogation de l'Accord susmentionné

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF EQUATORIAL GUINEA AND THE GOVERNMENT OF SPAIN ON FACILITIES AND IMMUNITIES APPLICABLE TO TECHNICAL CO-OPERATION

The Government of the Republic of Equatorial Guinea and the Government of Spain, Prompted by the desire to develop the technical co-operation provided for in the Basic Agreement signed at Santa Isabel on 12 October 1969,²

Have decided to conclude the following Agreement on facilities and immunities applicable to technical co-operation.

Article 1. The Government of the Republic of Equatorial Guinea shall grant all the necessary facilities for carrying out the technical co-operation programmes agreed to under the Basic Agreement of 12 October 1969 as well as for the experts who provide services under such programmes and it shall, in particular, grant the facilities and immunities provided for in this Agreement, in addition to those contained in the said Basic Agreement which refers, particularly in articles V, VI and VII, to facilities and immunities applicable to technical co-operation.

Article 2. For the purposes of the Basic Agreement on technical co-operation of 12 October 1969 and of the present Agreement, experts or technicians shall be understood to mean all personnel sent by Spain to the Republic of Equatorial Guinea by virtue of any agreement or technical co-operation programme agreed upon by both Parties.

Article 3. Spanish experts who travel to the territory of Equatorial Guinea to undertake technical co-operation shall, during their stay in that territory, be subject to the laws and competent authorities of the Republic of Equatorial Guinea, except in so far as concerns the terms of their employment, which shall be under the jurisdiction of the Spanish Government, and, in so far as their situation and status is concerned, except as provided in this Agreement and in the Basic Agreement on technical co-operation.

Article 4. In the exercise of their professional duties, the experts, together with their goods and possessions, shall enjoy jurisdictional immunity and shall be responsible for acts they perform in the said exercise of duties exclusively to the Spanish Government, which shall assume *vis-à-vis* the Government of the Republic of Equatorial Guinea whatever responsibility they may have for the said acts.

Article 5. The Government of Equatorial Guinea shall authorize the Spanish Government to establish in Equatorial Guinea the facilities needed to execute the co-operation programmes. Once the facility or facilities needed in each case have been determined by agreement between the two Governments through the diplomatic channel, the Spanish Government shall guarantee to the Government of Equatorial Guinea that in the facilities thus agreed upon no functions shall be performed other than those proper to the technical co-operation being undertaken, and the Government of Equatorial Guinea shall for its part guarantee the security of those facilities.

Article 6. The Government of Equatorial Guinea shall authorize the Spanish Government to transfer and dispose of funds freely for the payment in Equatorial Guinea of obligations arising from the technical assistance programmes.

¹ Came into force on 24 July 1971 by signature, in accordance with article 10.

² See p. 239 of this volume.

Article 7. All correspondence and communications bearing on technical co-operation shall be considered official correspondence and communications of the Spanish Government and shall enjoy the same privileges and facilities which the Government of Equatorial Guinea has granted or may grant to any other Government or foreign co-operation mission.

Article 8. 1. The experts shall have free access to the places where projects under the various co-operation programmes are being executed, and all the necessary rights of passage. They shall also be allowed to circulate freely within the country as required for the proper execution of those projects.

2. The experts may leave the territory of the Republic of Equatorial Guinea freely at any time, and neither they nor their family members nor their belongings shall be subject to any exit restrictions.

3. The Spanish Government shall compensate for the departure of one or more experts from the territory of the Republic of Equatorial Guinea, as provided in the preceding paragraph, by sending as rapidly as possible whatever experts are needed to prevent impairment or delay of ongoing projects or programmes.

Article 9. During their stay in the territory of the Republic of Equatorial Guinea, the experts shall:

- (a) Maintain a strict attitude of respect for the laws and institutions of the Republic of Equatorial Guinea, and shall not interfere in the country's internal affairs;
- (b) Receive no service or remuneration of a public nature from Equatorial Guinea.

Article 10. This Agreement shall enter into force on the date of its signature. The Agreement and the additional arrangements referred to in article 1 shall remain in force for two years, and it shall be automatically renewed for successive one-year periods, unless one of the Contracting Parties denounces it at least six months before its expiry.

DONE in duplicate at Santa Isabel de Fernando Póo on 24 July 1971.

For the Government
of Spain:

[Signed]

ALBERTO LÓPEZ HERCE
Ambassador of Spain

For the Government
of the Republic
of Equatorial Guinea:

[Signed]

JESÚS-ALFONSO OYONO ALOGO
Minister of Public Works,
Housing and Transport

TERMINATION OF THE AGREEMENT OF 24 JULY 1971 BETWEEN THE
GOVERNMENT OF SPAIN AND THE GOVERNMENT OF EQUATO-
RIAL GUINEA ON FACILITIES AND IMMUNITIES APPLICABLE TO
TECHNICAL CO-OPERATION¹

TERMINATION (*Note by the Secretariat*)

The Government of Spain registered on 23 April 1980 the Protocol to the Basic Agreement on technical co-operation on the status of experts in the field of technical co-operation between Spain and Equatorial Guinea signed at Malabo on 5 December 1979.²

The said Protocol, which came into force on 5 December 1979, provides, in paragraph 2 of its article 4, for the termination of the above-mentioned Agreement.

(23 April 1980)

¹ See p. 262 of this volume.

² See p. 239 of this volume.