

No. 18744

**SPAIN
and
PANAMA**

**Agreement on cultural co-operation. Signed at Madrid on
2 May 1979**

Authentic text: Spanish.

Registered by Spain on 23 April 1980.

**ESPAGNE
et
PANAMA**

**Accord de coopération culturelle. Signé à Madrid le 2 mai
1979**

Texte authentique : espagnol.

Enregistré par l'Espagne le 23 avril 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CULTURAL CO-OPERATION BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE REPUBLIC OF PANAMA

The Government of Spain and the Government of the Republic of Panama, mindful of the historical and cultural bonds uniting their peoples, foremost among which is the treasure of a common language, and convinced of the usefulness of employing every means possible to achieve better mutual understanding and closer cultural contact between the two peoples; have decided to conclude this Agreement on cultural co-operation thereby extending the Agreement of 15 May 1926 on the recognition of academic degrees and the equivalency of studies, ratified on 25 July 1928, which is still in force, to govern their cultural relations in the following manner:

Article 1. The Contracting Parties shall co-operate and join in all initiatives by either country, by third countries or of an international nature which, in the context of the respective internal legislations of Spain and the Republic of Panama, promote the preservation and use of the common language at the national level, in any other country and in international relations and international organizations.

Article 2. Each Contracting Party shall facilitate access to its historical and cultural records at the request of the other Party and in accordance with the internal laws and regulations of each country, encouraging all co-operation initiatives, whether official or private, relating to historical, cultural and scientific research of common interest.

Article 3. The Contracting Parties shall grant the most favourable treatment consistent with their respective legislations to groups or individuals travelling to either country to carry out cultural and scientific missions or activities.

The Contracting Parties shall provide all possible facilities, subject to the provisions of internal legislation, both with regard to the entry and with regard to the stay and departure of such individuals. They shall also facilitate the temporary importation, in accordance with the legislation of each country, of objects necessary for the fulfilment of cultural or scientific missions.

Article 4. The Contracting Parties shall exchange information on cultural, pedagogical and scientific subjects, as well as on books, magazines, bulletins and audio-visual material.

Such exchanges shall be on the basis of direct contacts between the two countries' respective administrations, official scientific institutions and national universities.

The Contracting Parties shall also exchange their official publications in the legal, cultural, technical and scientific fields, and each Contracting Party shall seek to set up in its major public libraries sections housing primarily the other country's publications.

The Contracting Parties shall make the appropriate arrangements for their official museums to exchange copies and reproductions of objects belonging to their artistic and archival heritage.

Article 5. The Contracting Parties shall provide all possible facilities, in accordance with their respective internal legislations, to promote and increase the exchange, distribution and sale of books, brochures, magazines and periodicals of cultural value, in such

¹ Came into force on 14 January 1980 by the exchange of the instruments of ratification, which took place at Panama, in accordance with article 18.

a way that they are accessible to the greatest number of readers. Any restrictions or difficulties impeding such exchanges shall be eliminated.

The two Contracting Parties shall seek to develop their respective publishing industries in a spirit of reciprocity and co-operation, on the basis of technical assistance programmes to be defined when the appropriate notes verbales are exchanged.

Article 6. The Contracting Parties shall promote mutual understanding and co-operation through films, radio and television.

The radio and television authorities of the two countries shall conclude specific agreements to promote the exchange and broadcasting of programmes of mutual interest and the greatest possible co-operation in technical matters and in the co-production of programmes in accordance with the internal legislation of each country.

Article 7. The Contracting Parties shall co-operate in strengthening and developing their relations in scientific areas and with regard to technological applications, by sharing information and sending any experts, equipment and material needed according to the terms of each specific programme as established with the exchange of the appropriate notes verbales.

Article 8. In accordance with each country's internal regulations, each Contracting Party shall provide all possible facilities for the performance in its national territory of artists, sportsmen, artistic groups or sports teams from the other Contracting Party, especially with regard to music, theatre, folklore and sports.

Article 9. Each Contracting Party undertakes to authorize the permanent importation into its national territory, on a duty-free and tax-free basis, of all types of teaching material and technical or scientific equipment, including books, documents, art reproductions, magnetic tape, records and film originating specifically in the territory of the other Party and intended for use at cultural institutions under the authority of the Government concerned, provided that such articles are for a cultural purpose and are not for commercial use.

Each Contracting Party undertakes to authorize the temporary importation into its national territory, without the payment of a deposit or security on duties or taxes, of the articles referred to in the preceding paragraph, under the same conditions. Such temporary importation may become permanent, on a duty-free and tax-free basis, upon the express authorization of the competent authorities, all in accordance with their respective internal legislations.

Article 10. The Governments of the Contracting Parties undertake to maintain close collaboration between their administrations with a view to preventing and curbing the illegal traffic in works of art, documents and objects of historical, artistic or cultural value, and prosecuting traffickers.

Article 11. The Contracting Parties undertake to adopt the necessary measures to ensure the best and most effective protection of the "copyrights" or "intellectual property rights" of citizens of the other country, so that they would enjoy the same protection as is afforded to national authors under the terms of the Geneva Convention.¹

Article 12. The Contracting Parties shall encourage the exchange and sending of educational specialists in various fields such as the humanities, pedagogy, science, technology, tourism and any other subjects which might be considered of interest to both countries.

Upon recruitment, they shall all enjoy, in the exercise of their functions, all the rights granted to professionals or experts in the respective countries.

¹ United Nations, *Treaty Series*, vol. 216, p. 132.

Article 13. The Contracting Parties hereby express their intention to expand their collaboration in respect of technical assistance, and especially in respect of education in general and technical and vocational training in particular.

Specific agreements relating to each programme of mutual interest shall establish the implementation mechanisms for this article. That may also be done through an exchange of the appropriate notes verbales.

Article 14. In specific cases that are of interest, the Contracting Parties shall provide in particular all the appropriate facilities for the sending of college and university lecturers, education experts and scientific researchers to provide guidance or to collaborate in matters of cultural, scientific and educational interest. Either Contracting Party may include such individuals in its national missions attending international meetings on educational, cultural and scientific topics. Remuneration for their services shall be provided jointly by the two Parties, on terms to be decided.

Through an exchange of notes verbales, the Contracting Parties shall determine as appropriate the precise mechanics of such collaboration.

Article 15. Each Contracting Party shall provide the necessary facilities for establishing permanent chairs at its country's universities in subjects relating to the culture and history of the other country. Any courses thus offered shall have official standing.

The form of funding for such chairs shall be determined at the appropriate time for each chair established.

Through an exchange of notes verbales, the Contracting Parties shall define the practical mechanics of such collaboration at the university level.

Article 16. The two Contracting Parties shall provide all the necessary facilities for establishing, organizing and operating cultural institutes and organizations responsible for making cultural elements of common interest to both Parties more widely known. Such organizations or institutions may have among their members nationals of either country, without distinction, and may also be subsidized by either country.

The activities of such institutes and organizations shall be subject to the internal legislation of the country in which they operate.

Such institutes and organizations may be declared official entities, provided that both Contracting Parties give their consent in each specific case through the appropriate exchange of notes verbales.

Article 17. The Contracting Parties shall establish a system of fellowships for and visits by teachers, scientists, experts, professionals, and secondary-school and university students and graduates. Special attention shall be given to the possibility of conducting advanced-training and specialization courses at educational institutions at the higher and post-graduate levels.

Article 18. This Cultural Agreement shall enter into force on the date of the exchange of the instruments of ratification by the two Parties, and shall be valid for periods of five years, renewable by tacit agreement, unless one of the Parties gives the other one year's notice of its decision to terminate the Agreement.

IN WITNESS WHEREOF the representatives of the two Governments have signed this Agreement in duplicate in the Spanish language, both texts being equally authentic, and have affixed their seals thereto, at Madrid on 2 May 1979.

For the Government
of Spain:

[Signed]

MARCELINO OREJA AGUIRRE
Minister for Foreign Affairs

For the Government
of the Republic of Panama:

[Signed]

CARLOS OZORES TYPALDOS
Minister for Foreign Affairs