

No. 18832

**SPAIN
and
PANAMA**

Agreement on a programme of technical co-operation in the social and labour fields and for vocational training in Panama, supplementary to the Agreement on social co-operation between Spain and Panama of 27 December 1966 (with annexed protocol). Signed at Panama City on 11 March 1980

Authentic text: Spanish.

Registered by Spain on 30 May 1980.

**ESPAGNE
et
PANAMA**

Accord relatif à un programme de coopération technique dans le domaine social, du travail et de la formation professionnelle au Panama, complémentaire à l'Accord hispano-panaméen de coopération dans le domaine social du 27 décembre 1966 (avec protocole annexe). Signé à Panama le 11 mars 1980

Texte authentique : espagnol.

Enregistré par l'Espagne le 30 mai 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON A PROGRAMME OF TECHNICAL CO-OPERATION IN THE SOCIAL AND LABOUR FIELDS AND FOR VOCATIONAL TRAINING IN PANAMA, SUPPLEMENTARY TO THE AGREEMENT ON SOCIAL CO-OPERATION BETWEEN SPAIN AND PANAMA²

The Governments of the Kingdom of Spain and of the Republic of Panama, pursuant to the Agreement on social co-operation concluded by the two countries on 27 December 1966,² have decided to conclude this Agreement on technical co-operation comprising the following provisions:

Article I. The executing agencies of the Supplementary Agreement shall be the Ministry of Labour for the Government of the Kingdom of Spain and the Ministry of Labour and Social Welfare for the Government of the Republic of Panama.

Article II. Under this Agreement, the Spanish Government undertakes:

- To send to Panama a mission comprising 10 experts to advise the Ministry of Labour and Social Welfare in the social, labour and vocational training fields;
- To award and underwrite 20 scholarships to enable Panamanians serving as counterparts of the Spanish experts to complete their training in Spain;
- To donate to Panama the written teaching materials and publications of the Ministry of Labour required to carry out the activities envisaged in the Agreement.

Article III. The Spanish experts referred to in the preceding article shall work in Panama for a total period of 148 months during the years 1980, 1981 and 1982.

One of these experts shall act as Head of the technical co-operation mission with such co-ordination functions as may be assigned to him and without prejudice to the functions involved in his specific role as an expert.

Article IV. The protocol annexed to this Supplementary Agreement establishes the technical characteristics and functions of both the Spanish experts and their Panamanian counterparts and indicates the timetable envisaged for the normal development of the activities provided for in the Agreement.

Article V. The mission time allocated to each expert in the annexed protocol may be served by the same expert or by successive experts, as the circumstances warrant at any given moment.

The Spanish experts shall be required to reside in the locality in which they are to perform the mission entrusted to them.

Article VI. The travel expenses and remuneration of the Spanish experts referred to in article II shall be paid in full by the Spanish Government.

¹ Came into force on 11 March 1980 by signature, in accordance with article XIV.

² See p. 93 of this volume.

Article VII. The scholarships referred to in article II, point 2, shall each be of a maximum duration of three months and shall cover the cost of the following: instruction, work materials and information booklets where appropriate, organized trips within Spain and a monthly allowance of 45,000 pesetas to cover lodging and maintenance expenses. They shall also cover the cost of the return travel of scholarship-holders to Panama.

Article VIII. Under this Agreement, the Panamanian Government undertakes:

1. To accord full facilities for the implementation of all the measures envisaged in this Agreement;
2. To provide the centres and premises in which the activities of the experts are to take place;
3. Where appropriate, to make available to the programme the necessary counterpart personnel;
4. To pay the single fare to Spain of the scholarship-holders referred to in article II, point 2;
5. To exempt from taxes all imports of equipment, tools and teaching materials received as gifts or acquired in Spain for the performance of the activities envisaged in the Agreement.

Article IX. Should the Panamanian authorities wish to acquire machinery, equipment and teaching materials in Spain for the programmes envisaged in the Agreement, the Spanish Government shall, if so requested, serve as an intermediary between the Panamanian Government and Spanish companies in order to ensure the same quality and prices as if it was acquiring them for establishments dependent on the Ministry of Labour of Spain and shall oversee the shipment thereof by making appropriate modifications prior to their dispatch from Spain.

Article X. With regard to the Spanish experts, the Panamanian Government undertakes:

1. To supply counterpart personnel, who shall work closely with the Spanish experts;
2. To supply secretarial services;
3. To provide the Spanish mission with the furnished and equipped offices necessary for the execution of programmes;
4. To provide the Spanish mission with the necessary transportation for the travel of the experts in connection with their duties.

Article XI. Experts who are required, under this Agreement, to move to the Republic of Panama shall be granted the status which the Panamanian Government has established for international experts, for which purpose they shall be accredited through the diplomatic channel.

Article XII. The obligations assumed by the Spanish Government under this Agreement shall be the responsibility of the Ministry of Labour, and those assumed by the Panamanian Government shall be the responsibility of the Ministry of Labour and Social Welfare.

Article XIII. For the purpose of ensuring the implementation of this Agreement, the Parties agree to establish a specialized co-ordinating commission,

comprising representatives of the Ministry of Labour of Spain and the Ministry of Labour and Social Welfare of Panama. This commission shall have the following responsibilities:

1. To supervise the implementation of this Supplementary Agreement;
2. To recommend the adoption of measures needed to secure the optimum benefits from mutual co-operation;
3. To submit written reports to the Intergovernmental Joint Commission twice yearly on the progress and performance of activities, for the information and approval of the authorities of the two countries;
4. Where appropriate, to propose to the Parties additions and/or amendments to this Agreement.

Article XIV. This Supplementary Agreement to the Agreement on social co-operation between Spain and Panama shall enter into force and shall begin to be implemented on the day of its signature.

DONE at Panama on 11 March 1980 in two copies, both texts being equally authentic.

For the Government
of the Kingdom of Spain:

[Signed]

RAFAEL GÓMEZ-JORDANA Y PRATS
Ambassador of Spain to Panama

For the Government
of the Republic of Panama:

[Signed]

OYDEN ORTEGA
Minister of Labour

PROTOCOL ANNEXED TO THE AGREEMENT ON A PROGRAMME OF TECHNICAL CO-OPERATION IN THE SOCIAL AND LABOUR FIELDS AND FOR VOCATIONAL TRAINING IN PANAMA, SUPPLEMENTARY TO THE AGREEMENT ON SOCIAL CO-OPERATION BETWEEN SPAIN AND PANAMA

In accordance with the provisions of article IV of the Supplementary Agreement and with a view to facilitating the implementation of the Agreement and to ensuring that it meets the requirements for the development of the programme of action envisaged therein, this annex shall establish the technical aspects governing the Agreement:

To this end, the following points are emphasized:

1. EXPERTS

“Experts” shall be Spanish technicians who are specialists in a particular field and possess certain specific skills enabling them to convey their own knowledge to others, thereby contributing to the basic and advanced training of technicians in their field of specialization.

The specific skills which experts must possess shall include a thorough grasp of: methodology and pedagogy; human relations; job and post analysis; and the elaboration and/or adaptation of teaching methods.

One particular category of expert shall be an individual with extensive experience in the planning, organization, development and evaluation of vocational training and thus equipped to design, develop and evaluate both specific and general plans and programmes

and to recommend any modifications or adaptations which such evaluations might show to be necessary.

Lastly, the head of the technical co-operation mission shall be an expert who, having met the requirements of the preceding paragraph, is responsible for directing missions, co-ordinating the work of all the experts and discharging the representation functions assigned to him in the corresponding technical mission contract.

2. FUNCTIONS OF EXPERTS

The main function of all the experts shall be to train their Panamanian counterparts.

In addition, experts shall be generally responsible for:

- Co-operating in the evaluation of the basic training, retraining and advanced training requirements of instructors in their own field of specialization;
- Helping to draw up basic training, and advanced technical and teacher training programmes, as required;
- Co-operating in the selection, adaptation and/or preparation of teaching and audio-visual aids suitable for each case;
- Participating in the organization and conduct of training courses for instructors;
- Participating in the conduct of training courses for technicians in their own field of specialization given by their Panamanian counterparts.

3. FUNCTIONS OF THE HEAD OF MISSION

It shall, in addition, be the responsibility of the head of mission:

- To represent the Ministry of Labour *vis-à-vis* the Ministry of Labour and Social Welfare;
- To represent the Ministry of Labour of Spain *vis-à-vis* the Panamanian authorities, through the Spanish Embassy;
- To co-ordinate the work of the experts assigned to the technical co-operation mission;
- To prepare mission reports in accordance with guidelines established by the Ministry of Labour of Spain;
- To propose to the Panamanian authorities such adaptations and modifications as are required to ensure that programmes are always suited to the needs and opportunities prevailing at any given time;
- To participate in selecting the Panamanian nationals who are to receive scholarships to travel to Spain to follow basic training or advanced vocational training courses.

4. SPECIFIC FUNCTIONS OF EXPERTS

In addition to the general functions mentioned in 2 and 3 above, the head of mission and other experts shall perform the following functions:

1. Head of mission and expert in institutional organization and development:

- Act as general adviser to the Ministry of Labour and Social Welfare on matters which are the subject of the co-operation provided for in the Agreement;
- Advise on the drafting of bills and, in general, any kind of legislation necessary for the establishment, modification and development of vocational training and employment plans and institutions;
- Advise on the elaboration of the regulations which shall govern vocational training centres;
- Direct the training of Panamanian counterparts;
- Advise on the planning of vocational training;

- Advise on the preparation of plans and programmes for the various levels of short-, medium- and long-term training.
2. Expert in labour statistics:
- Compile data on demographic, educational and socio-economic aspects in general;
 - Prepare estimates for the period in question and projections including: total population; active population; employment and registration in the various educational levels;
 - Prepare samples and make surveys on the conditions and characteristics of the labour force in the country's different economic sectors;
 - Design, conduct, codify and tabulate surveys of the characteristics of professionals, according to fields of specialization;
 - Design statistical materials for the proper study of labour supply and demand;
 - Design appropriate materials for calculations using models of the distribution of the active population according to economic sectors and occupational groups;
 - Design appropriate materials for compiling and updating labour statistics.
- 3 and 4. Experts in employment offices:
- Co-operate with the Panamanian authorities in devising placement policies and programmes;
 - Co-operate in the use of appropriate statistical materials for studying labour supply and demand;
 - Co-operate in the use of statistical materials for studying the supply of and demand for jobs in the short and medium term.
5. Expert in port works:
- Co-operate with the Panamanian authorities in the restructuring of the Office of Maritime Works;
 - Co-operate in the design methods and systems for inspecting ports and ships intended for domestic and international use;
 - Design a system for reviewing and eliminating navigation logs;
 - Advise on the elaboration of rules of conduct for resolving labour disputes both on board ship and among port workers;
 - Advise on the establishment of a permanent Safety and Health Plan for port workers;
 - Advise on the establishment of norms for calculating and reviewing benefits.
- 6-10. Experts in the sectors of industry, agriculture and services:
- Prepare and/or adapt training manuals for instructors and monitors;
 - Design training courses for technicians in their own fields of specialization, based on the standards drawn up by the expert in methodology;
 - Prepare and/or adapt the teaching and audio-visual aids to be used in their own fields of specialization;
 - Co-operate in the installation of workshops and laboratories in their own fields of specialization, in accordance with guidelines established by the expert in the design of fixed installations and mobile units.

5. PROFILES OF EXPERTS

1. Head of mission:

Must have a higher academic degree and extensive experience of not less than five years in institutional organization and development.

2. Expert in labour statistics:

Must have a higher academic degree and experience in labour statistics and surveys.

This post is suitable for officials of INEM, the Directorate of Employment and Social Advancement or similar agencies, with proven experience in the field.

3 and 4. Expert in employment offices:

Must have a higher academic degree and extensive experience in the organization and operation of employment offices.

Functional level of an INEM official or similar.

5. Expert in port works:

This post is suitable for senior officials of the Department of Port Works or persons with similar training.

6-10. Experts in the sectors of industry, agriculture and services:

These posts are suitable for INEM officials or persons with equivalent training, with extensive experience in the fields of specialization for which they are selected.

6. TIMETABLE OF EXPERTS' ACTIVITIES

	<i>Expert-months</i>			
	<i>1980</i>	<i>1981</i>	<i>1982</i>	<i>Total</i>
1. Head of mission and expert in institutional organization and development	12	12	12	36
2. Expert in labour statistics	3	3	3	9
3 and 4. Experts in employment offices	6	6	6	18
5. Expert in port works	3	2	2	7
6 and 7. Experts in industry	12	12	12	36
8 and 9. Experts in agriculture	—	12	12	24
10. Expert in services	—	6	12	18
TOTALS	36	53	59	148

7. PANAMANIAN COUNTERPARTS

“Counterparts” shall be Panamanian nationals acting as counterparts of the Spanish experts.

Counterparts shall work closely with their respective experts, who shall convey all their knowledge to them so that, on completion of each expert's mission, his counterparts may assume full and final responsibility for the permanent conduct of programmes in their own field of specialization.

Spanish experts shall be sent to Panama not to replace Panamanian nationals but to help them to prepare themselves as fully as possible for the optimum performance of their functions. This is why counterparts must be designated before the experts' arrival so that maximum benefit can be derived from the experts' presence in Panama.

8. FUNCTIONS OF PANAMANIAN COUNTERPARTS

Counterparts shall perform functions identical to those assigned to their respective experts.

Initially, the expert shall establish the guidelines for activities within his field of specialization. As the counterpart gradually takes over the functions pertaining to his post, the expert shall focus his attention on those aspects which the counterpart has not yet assimilated.

Ultimately, the counterpart shall assume all the functions pertaining to his post and shall take the initiative; the expert shall then act solely as an adviser, helping the counterpart to correct and improve his performance.

9. PROFILES OF PANAMANIAN COUNTERPARTS

These shall be the same as, or as similar as possible to, those indicated for the respective Spanish experts.

10. TIMETABLE FOR THE AWARD OF SCHOLARSHIPS TO PANAMANIAN COUNTERPARTS

<i>Year</i>	<i>Number of scholarship-holders</i>
1980	6
1981	7
1982	7
TOTAL	20 scholarship-holders

This protocol shall enter into force on the same date as the Agreement on a programme of technical co-operation in the social and labour fields and for vocational training in Panama, supplementary to the Agreement on social co-operation between Spain and Panama.

DONE at Panama in two copies, both texts being equally authentic.

For the Government
of the Kingdom of Spain:

[Signed]

RAFAEL GÓMEZ-JORDANA Y PRATS
Ambassador of Spain to Panama

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