

No. 19968

**SPAIN
and
GERMAN DEMOCRATIC REPUBLIC**

**Trade Agreement (with lists and exchanges of letters).
Signed at Berlin on 4 April 1974**

Authentic texts: Spanish and German.

Registered by Spain on 29 June 1981.

**Termination of the above-mentioned Agreement (*Note by
the Secretariat*)**

**ESPAGNE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord commercial (avec listes et échanges de lettres).
Signé à Berlin le 4 avril 1974**

Textes authentiques: espagnol et allemand.

Enregistré par l'Espagne le 29 juin 1981.

**Abrogation de l'Accord susmentionné (*Note du Sec-
rétariat*)**

[TRANSLATION—TRADUCTION]

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF
THE SPANISH STATE AND THE GOVERNMENT OF THE
GERMAN DEMOCRATIC REPUBLIC

The Government of the Spanish State and the Government of the German Democratic Republic, desiring to develop and strengthen their trade relations on the basis of equal rights and mutual benefit, have agreed as follows:

Article I. Taking into account the current level of trade between Spain and the German Democratic Republic, and bearing in mind the provisions of this Agreement, the two Contracting Parties declare their intention to make every effort, on the basis of a spirit of equality and reciprocity, to extend to each other all the necessary facilities and benefits, and to ensure the continuity and the harmonious development of their trade relations, in order to make the fullest use of the opportunities offered by the development of their respective economies.

Article II. In order to encourage and facilitate trade between the two countries, the two Contracting Parties shall extend to each other most-favoured-nation treatment in all matters relating to their mutual trade relations.

Most-favoured-nation treatment shall apply, in particular, with respect to customs duties and taxes and charges of any kind which may be imposed on the importation or exportation of goods, the method of levying such duties and charges and the regulations and formalities governing customs procedures.

Article III. Each Contracting Party, in accordance with the laws and regulations in force in its territory, shall exempt the importation and exportation of the following goods and articles from customs duties, taxes and other charges:

- (a) Samples of all types of goods without commercial value, including those used for advertising purposes;
- (b) Samples of goods and articles for permanent and temporary fairs and exhibitions, provided that such goods and articles are re-exported;
- (c) Packing material which is temporarily imported for use exclusively in the transport of goods.

The two Contracting Parties shall extend to each other all the necessary facilities for transactions carried out under temporary import or processing traffic arrangements in respect of goods coming from the other Party.

¹ Came into force on 28 October 1974, the date of the last of the notifications (effected on 15 June and 28 October 1974) by which the Contracting Parties informed each other of its approval, in accordance with article XI.

Article IV. Trade between Spain and the German Democratic Republic shall be conducted in accordance with schedule A (exports from the German Democratic Republic) and schedule B (exports from Spain) annexed to this Agreement, which are of an indicative nature. Goods not included in schedules A and B may also be exported or imported in conformity with the provisions of this Agreement.

Article V. Each Contracting Party undertakes to grant the requisite licences and authorizations for the passage of imports and exports under this Agreement on terms equal to those accorded to any other country.

Article VI. The exportation and importation of goods and services under this Agreement shall be carried out on the basis of contracts concluded between physical and corporate persons of Spain, on the one hand, and corporate persons of the German Democratic Republic, on the other, duly authorized to engage in foreign trade.

The physical and corporate persons referred to in the preceding paragraph shall engage in trade transactions on their own responsibility.

In the exercise of the economic activities envisaged in this Agreement, physical and corporate persons of each Contracting Party shall, as regards the conduct of their business and access to courts and administrative organs of every kind, receive no less favourable treatment in the territory of the other Party than that granted to physical and corporate persons of any other State.

Article VII. The two Contracting Parties shall support, within the scope of their respective laws and having regard to the provisions of this Agreement, participation in or the organization of fairs and exhibitions within its territory on the part of enterprises and firms of the other Party, together with the sending of trade missions which may be useful for the promotion of mutual trade.

Article VIII. The two Contracting Parties have agreed that all payments arising from this Agreement shall be effected in fully convertible currency, in accordance with the exchange control regulations in force in both countries.

Article IX. A Joint Commission shall meet normally once a year, alternately in the German Democratic Republic and in Spain. It shall have the task of monitoring compliance with and implementation of the provisions of this Agreement and of proposing, in the light of experience, appropriate measures for the further development of trade.

Article X. Any amendment or addition to this Agreement shall be agreed upon in writing between the two Contracting Parties.

Article XI. This Agreement shall be approved or ratified in accordance with the provisions in force in each of the two States. The Contracting Parties

shall inform each other of such approval or ratification by an exchange of notes. The Agreement shall have legal effect from the date of the latter note.

Article XII. This Agreement shall remain in force from 1 January 1974 until 31 December 1974. It shall be extended for successive one-year periods, unless it is denounced in writing by either Contracting Party three months prior to its expiry.

Article XIII. The provisions of this Agreement shall also apply to contracts which are concluded during the period of validity of this Agreement but not fully performed at the time of its expiry.

DONE AND SIGNED at Berlin on 4 April 1974 in two original copies, each one in the German and Spanish languages, both texts being equally authentic.

For the Government
of the Spanish State:

[Signed]

CARLOS GAMIR

For the Government
of the German Democratic Republic:

[Signed]

GERHARD BEIL

SCHEDULE A

EXPORTS FROM THE GERMAN DEMOCRATIC REPUBLIC

1. Plant and equipment, including parts and accessories
2. Machinery and equipment, such as heavy-engineering, electrical, electronic machine-tool and general-engineering items and printing machines, including parts and accessories, and transport vehicles
3. Typewriters, and office machines, including parts and accessories
4. Tools, diesel engines
5. Other metal products
6. Scientific, measuring and controlling instruments
7. Laboratory equipment
8. Optical, photographic and cinematographic equipment, including accessories
9. Products of the chemical industry, including medicinal and pharmaceutical products, medicaments and cosmetics
10. Chemical products for photography film and film material of all types
11. Glass, ceramic and porcelain products
12. Various textile products
13. Other manufactured and finished goods, including sports goods, toys and Christmas-tree decorations
14. Various musical instruments
15. Teaching aids of all types
16. Products of the wood, paper and printing industries
17. Agricultural products, including meat and meat products
18. Seeds

SCHEDULE B

EXPORTS FROM SPAIN

1. Citrus fruits (oranges, mandarins, grapefruit, lemons)
2. Fresh fruit, legumes, garden produce (tomatoes, onions)
3. Dried fruit
4. Honey
5. Fruit and vegetable preserves (tomato paste, citrus juices)
6. Olive oil
7. Basic wines, wines and spirits
8. Saffron, spices
9. Preserved fish
10. Natural and artificial guts, catgut
11. Raw cork
12. Mineral products, including fluorspar
13. Inorganic chemical products (mercury)
14. Organic chemical products
15. Pharmaceutical products, perfumery, cosmetics
16. Hides, skins and leather manufactures
17. Footwear
18. Various textile-industry products, including raw materials
19. Ores and concentrates of metals; non-ferrous metals, including alloys and semi-finished products
20. Iron and steel products
21. Tyres and articles of rubber
22. Machinery and appliances of all types, parts and accessories
23. Transport equipment

EXCHANGES OF LETTERS

I a

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE SPANISH STATE

Berlin, 4 April 1974

Sir.

With reference to article II of the Trade Agreement signed today between the Government of the Spanish State and the Government of the German Democratic Republic, I have the honour to inform you that the Government of the Spanish State will extend to the German Democratic Republic the same treatment as it extends to member countries of the General Agreements¹ on Tariffs and Trade, in conformity with the provisions of the above-mentioned Agreement.

I hereby request you to convey your agreement with the foregoing.

Accept, Sir, etc.

[CARLOS GAMIR]

Chairman of the delegation of the Government
of the German Democratic Republic
Berlin

II a

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC

Berlin, 4 April 1974

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

[See letter I a]

I have the honour to convey my agreement with the foregoing.

Accept, Sir, etc.

[GERHARD BEIL]

Chairman of the delegation of the Government
of the Spanish State
Berlin

¹ United Nations, *Treaty Series*, vol. 55, p. 187.

I b

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE SPANISH STATE

Berlin, 4 April 1974

Sir,

During the negotiations which have led to the conclusion of a Trade Agreement between the Government of the Spanish State and the Government of the German Democratic Republic, the following has been agreed:

1. All payments which arise from contracts concluded and other obligations contracted before 1 January 1974 and which are due after the above-mentioned day shall be effected in fully convertible currencies.

2. The balance in United States dollars/units of account outstanding in the account between the Banco de España and the Deutsche Aussenhandelsbank AG after "clearing" operations between Spain and the German Democratic Republic up to 31 December 1973 shall be determined by the above-mentioned banks and shall be paid by the debtor party to the creditor party in fully convertible United States dollars on 31 December 1974 at the rate of one United States dollar to each dollar/unit of account. Upon payment of the balance, the account between the two banks shall be closed.

3. The technical details of the liquidation shall be agreed between the Banco de España and the Staatsbank der Deutschen Demokratischen Republik.

4. The Banco de España and the Staatsbank der Deutschen Demokratischen Republik shall inform the banks authorized to engage in foreign currency transactions in their respective countries of the content of the Trade Agreement and of this letter, to the extent that such banks are thereby affected.

I hereby request you to convey your agreement with the foregoing.

Accept, Sir, etc.

[CARLOS GAMIR]

Chairman of the delegation of the Government
of the German Democratic Republic
Berlin

II b

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC

Berlin, 4 April 1974

Sir,

[See letter I b]

I have the honour to convey my agreement with the foregoing.

Accept, Sir, etc.

[GERHARD BEIL]

Chairman of the delegation
of the Spanish State
Berlin

I c

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE SPANISH STATE

Berlin, 4 April 1974

Sir,

During the negotiations on the Trade Agreement signed today between the Government of the Spanish State and the Government of the German Democratic Republic, the two Contracting Parties agreed that the prices of the goods to be supplied under this Agreement shall be determined with reference to international prices, that is to say, the prices prevailing in the principal markets for similar goods.

I hereby request you to convey your agreement with the foregoing.

Accept, Sir, etc.

[CARLOS GAMIR]

Chairman of the delegation of the Government
of the German Democratic Republic
Berlin

II c
CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC

Berlin, 4 April 1974

Sir,

I have the honour to acknowledge receipt of your letter of 4 April 1974, which reads as follows:

[See letter I c]

I have the honour to convey my agreement with the foregoing.

Accept, Sir, etc.

[GERHARD BEIL]

Chairman of the delegation of the Government
of the Spanish State
Berlin

I d

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE SPANISH STATE

Berlin, 4 April 1974

Sir,

During the negotiations which concluded with the signing today of a Trade Agreement between the Government of the Spanish State and the Government of the German Democratic Republic, the delegation of the German Democratic Republic expressed its wish that during the period of validity of the above-mentioned Agreement products exported from the German Democratic Republic whose importation into Spain is still subject to quantitative restrictions should have increasing access to the Spanish market.

The Spanish delegation stated that, within the scope of its laws, the competent Spanish authorities, during the period of validity of the Trade Agreement between the two countries, shall grant the maximum facilities possible for access to the Spanish market of products originating in the German Democratic Republic whose importation into Spain is still subject to quantitative restrictions, on the basis of demand for such products and the development of trade between the two countries.

In addition, the Spanish delegation affirmed that the importation of most products from the German Democratic Republic is already liberalized and that it is intended to continue the policy of liberalization.

I hereby request you to convey your agreement with the foregoing.
Accept, Sir, etc.

[CARLOS GAMIR]

Chairman of the delegation of the Government
of the German Democratic Republic
Berlin

II *d*

CHAIRMAN OF THE DELEGATION
OF THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC

Berlin, 4 April 1974

Sir,

I have the honour to acknowledge receipt of your letter of today's date,
which reads as follows:

[*See letter I d*]

I have the honour to convey my agreement with the foregoing.
Accept, Sir, etc.

[GERHARD BEIL]

Chairman of the delegation of the Government
of the Spanish State
Berlin

TERMINATION OF THE TRADE AGREEMENT OF 4 APRIL 1974
BETWEEN THE GOVERNMENT OF THE SPANISH STATE
AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC
REPUBLIC¹ (*NOTE BY THE SECRETARIAT*)

The Government of Spain registered on 29 June 1981 the Trade Agreement between the Government of the Spanish State and the Government of the German Democratic Republic signed at Madrid on 17 December 1979.²

The said Agreement, which came into force on 1 May 1981, provides in its article 13, for the termination of the above-mentioned Agreement of 4 April 1974.

(29 June 1981)

¹See p. 103 of this volume.

²See p. 143 of this volume.