

No. 21149

**SPAIN
and
COLOMBIA**

Agreement regulating the administrative and educational aspects of the cultural and educational institutions of Spain and Colombia: "The Reyes Católicos Cultural and Educational Centre" and "The Miguel Antonio Caro College". Signed at Bogotá on 31 January 1980

Authentic text: Spanish.

Registered by Spain on 16 July 1982.

**ESPAGNE
et
COLOMBIE**

Convention régissant les aspects administratifs et éducatifs des institutions culturelles et éducatives espagnole et colombienne : «Centro cultural y educativo Reyes Católicos» et «Colegio Mayor Miguel Antonio Caro». Signée à Bogotá le 31 janvier 1980

Texte authentique : espagnol.

Enregistré par l'Espagne le 16 juillet 1982.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ REGULATING THE ADMINISTRATIVE AND EDUCATIONAL ASPECTS OF THE CULTURAL AND EDUCATIONAL INSTITUTIONS OF SPAIN AND COLOMBIA: “THE REYES CATÓLICOS CULTURAL AND EDUCATIONAL CENTRE” AND “THE MIGUEL ANTONIO CARO COLLEGE”

The Governments of Spain and Colombia,
Considering:

That on 4 November 1952 a Special Agreement on cultural matters between Spain and Colombia was signed, through which the two Governments granted each other sites on which to build the Miguel Antonio Caro College in Spain and the Reyes Católicos Cultural and Educational Centre in Colombia;

That on 7 November 1968 an exchange of notes took place for the purpose of regularizing the situation created by the above-mentioned Special Agreement adopted by Colombia under Law No. 34 of 1969;

That it is necessary to regulate the operation of the aforementioned institutions and to establish prerogatives of the executive, teaching and administrative staff in the two countries,

Have resolved to sign this Agreement:

PRELIMINARY MATTERS

Article I. The cultural and educational institutions referred to in the Special Agreement and in the Agreement between the Colombian State and the Spanish State, covered by the régime established under this Agreement, are the following: the Reyes Católicos Cultural and Educational Centre, belonging to the Spanish State and based in Bogotá, D.E., and the Miguel Antonio Caro College, belonging to the Colombian State and based in Madrid, Spain.

Article II. The Spanish State undertakes to ensure that the education provided in the Reyes Católicos Cultural and Educational Centre in Bogotá, Colombia, complies with the standards of the Colombian educational system.

Article III. The Reyes Católicos Cultural and Educational Centre may import, through the Spanish Embassy, free of customs duties, the requisite teaching aids and resources, including: visual and audiovisual aids, materials, equipment for laboratories and vocational workshops, reference books, texts and periodicals. Under no circumstances may the aforementioned equipment be sold commercially.

Article IV. Spanish nationals who are career civil servants or who have been engaged by the Spanish State in order to carry out administrative or teaching functions in the Reyes Católicos Cultural and Educational Centre in Bogotá, D.E., who are registered with the Ministry of Foreign Affairs of the Government of Colombia, through the

¹ Came into force on 17 May 1982, the date of the last of the notifications (effected on 4 June 1981 and 17 May 1982) by which the Parties informed each other of the completion of the constitutional procedures, in accordance with article XX.

Spanish Embassy, shall enjoy upon arrival in the country for the first time, the following prerogatives and facilities which shall be provided through the Spanish Embassy in Colombia:

A. Tax-free importation of a single vehicle during their mission in Colombia, on the following conditions:

During the first two (2) years, the vehicle shall be liable, if re-sold, for all the taxes applicable, in accordance with the Colombian customs legislation in force.

As of the third year, the taxes applicable to this vehicle shall decline progressively, in accordance with the provisions of Decree No. 232 of 1967, until the vehicle becomes totally exempt from taxes six years after its importation into the country.

The limitation on the f.o.b. price of vehicles imported by administrative officials of the Colombian Foreign Service shall apply to vehicles imported under this Agreement.

B. Importation free of customs duties of their household equipment, furniture and personal effects, as long as they file the appropriate application within one hundred and eighty (180) days of their arrival in the country.

C. Exemption from the payment of income and related taxes on the salaries and emoluments that they receive from the Spanish State for services rendered to the Reyes Católicos Cultural and Educational Centre.

D. Issue of an identity card by the Colombian Ministry of Foreign Affairs to the administrative and teaching staff of the Centre, their spouses, children under 18 years and dependants; the identity card shall state that the bearer is entering and residing in Colombia under the reciprocal Cultural Agreement drawn up by the Governments of Spain and Colombia.

E. Issue of a driver's licence by the competent authorities to those presenting the above identification, provided that they hold an international or Spanish driver's licence.

F. Issue of an official visa to the administrative and teaching staff of the Reyes Católicos Cultural and Educational Centre, and to their spouses and children under 18 years who are resident in Colombia, provided that they are not gainfully employed in that country, apart from teaching, cultural and scientific activities in the Reyes Católicos Cultural and Educational Centre, except in the case of activities of interest to the Colombian State.

G. Spanish nationals on the Administrative staff shall enjoy the privileges described in paragraphs B, C, D, E and F.

H. The staff of the Reyes Católicos Cultural and Educational Centre and their families and dependants mentioned above shall not enjoy any diplomatic immunity, in either their private lives or their working lives and shall under no circumstances enjoy immunity from civil, penal or labour jurisdiction in the territory of the Republic of Colombia.

Article V. Colombian nationals who are sent to Spain to take up executive, teaching or administrative posts at the Miguel Antonio Caro College shall enjoy, on the basis of the strictest reciprocity, the same prerogatives afforded to Spanish nationals under this Agreement. The aforementioned Centre shall also enjoy the benefits accorded by the Colombian Government to the Reyes Católicos Cultural and Educational Centre.

ADMINISTRATIVE ASPECTS

Article VI. The Spanish State own the premises of the Reyes Católicos Cultural and Educational Centre, including the land donated by the Colombian State and other annexes acquired by the Spanish State for the same purpose and the building or buildings that the Spanish State erects thereon in implementation of this Agreement.

The aforementioned building and its annexes shall enjoy the following privileges: exemption from all national, departmental and/or municipal taxes, charges and contributions.

Bills for water supply, drainage, telephone, electricity and waste disposal shall be paid by the Spanish State or by the Reyes Católicos Cultural and Educational Centre.

Article VII. The executive, teaching, administrative and general service staff shall be appointed by the Spanish State and shall be covered by the following provisions:

Spanish nationals working at the Reyes Católicos Cultural and Educational Centre shall be governed by the labour regulations of their country and in all cases shall comply with them.

Colombian nationals working in the Reyes Católicos Cultural and Educational Centre shall comply in all labour matters with Colombian law.

Article VIII. The funding, maintenance and installation costs of the Centre shall be paid for by the Spanish State or by the Centre itself.

Article IX. The Contracting Parties shall guarantee, within their respective spheres of sovereignty and in accordance with their internal legislation in force, the supply of funds and payments, in national or foreign currency, necessary to fulfil the obligations and ensure the smooth operation of the Centre.

Article X. Medical insurance contributions for all members of the staff of the Reyes Católicos Cultural and Educational Centre shall be paid by the Spanish State.

Article XI. The benefits laid down in this Agreement for Spanish nationals shall not apply to Colombian nationals.

EDUCATION SYSTEM

Article XII. The Reyes Católicos Cultural and Educational Centre shall operate as a non-profit-making, formal educational institution belonging to the Spanish State, based in Bogotá, D.E., Colombia, teaching students of both sexes, following a type-B calendar and complying with the standards governing the Colombian educational system.

Article XIII. The Reyes Católicos Cultural and Educational Centre shall offer courses for the elementary and intermediate vocational levels for the Baccalaureate in Sciences and Technology, which will lead to the title of Bachelor in the field of specialization chosen.

The studies, completed and duly certified, shall lead to the award of the corresponding qualifications in both countries.

Formal vocational training may also be conducted in the above-mentioned Centre.

Article XIV. In addition to the aforementioned teaching activities, the Reyes Católicos Cultural and Educational Centre may provide on its premises cultural extension services such as: lectures, seminars, exhibitions, stage performances, sporting events and other activities promoting the appreciation of the cultural, artistic and scientific values of the two countries. The State of Colombia shall facilitate the advertising of such cultural events through various media.

Article XV. Certificates of study and qualifications shall be issued in accordance with the standards governing the Colombian education system, while maintaining standards equivalent to those of the Spanish education system.

Article XVI. The Reyes Católicos Cultural and Educational Centre shall be subject to the inspection and supervision of the General Directorate of Education, Administration and Inspection of the Colombian National Ministry of Education, which shall exercise the same functions as its counterpart in the Spanish Ministry of Education.

Article XVII. Colombian geography, history and civics shall be taught by teachers of Colombian origin and the text books used by them shall be written by Colombian authors.

Article XVIII. The Centre shall award scholarships to Colombian and Spanish students, in numbers and proportions to be determined by the Colombian National Ministry of Education and the authorities of the Centre. Charges for fees and board shall be approved by the National Matriculation Board within the Colombian National Ministry of Education.

Article XIX. At every level, qualifications and titles granted in Spain shall be accepted for the exercise of the duties of Spanish nationals recruited to work at the Reyes Católicos Cultural and Educational Centre and for the validation of the Centre's work permit and study approval certificate.

Article XX. This Agreement shall be subject to the constitutional procedures of the two countries and shall enter into force on the date when the High Contracting Parties have notified each other that such procedures have been completed.

It shall remain in force for an indefinite period, but it shall cease to apply one (1) year after one of the Parties states that it wishes to terminate it.

DONE in Bogotá, D.E., on 31 January 1980, in the Spanish language, in duplicate, both copies being equally authentic.

For the Government
of the Kingdom of Spain:

[Signed]

EMILIO MARTÍN Y MARTÍN
Ambassador of Spain

For the Government
of the Republic of Colombia:

[Signed]

DIEGO URIBE VARGAS
Minister of Foreign Affairs