

No. 22365

---

SPAIN  
and  
UNITED STATES OF AMERICA

**Exchange of notes constituting an agreement to transfer  
the Cebreros facilities to the Government of Spain.  
Madrid, 26 November 1982, 3 January and 15 Fe-  
bruary 1983**

*Authentic texts: English and Spanish.*

*Registered by Spain on 27 September 1983.*

---

ESPAGNE  
et  
ÉTATS-UNIS D'AMÉRIQUE

**Échange de notes constituant un accord relatif au transfert  
des installations de Cebreros au Gouvernement espa-  
gnol. Madrid, 26 novembre 1982, 3 janvier et 15 février  
1983**

*Textes authentiques : anglais et espagnol.*

*Enregistré par l'Espagne le 27 septembre 1983.*

# EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN SPAIN AND THE UNITED STATES OF AMERICA TO TRANSFER THE CEBREROS FACILITIES TO THE GOV- ERNMENT OF SPAIN

## I

Madrid, November 26, 1982

No. 1106

Excellency:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Spain concerning scientific and technical cooperation in support of programs for lunar and planetary explorations and for manned and unmanned space flights through the establishment and operation in Spain of a tracking and data acquisition station, effected by an Exchange of notes signed at Madrid on January 29, 1964,<sup>2</sup> and supplemented by the Exchanges of notes of October 11, 1965,<sup>3</sup> and June 25, 1969.<sup>4</sup>

Paragraph 11 of the 1964 Agreement, referred to above, provides that title to all property other than removable property used in connection with the station, "shall be in the Government of Spain or other Spanish owners."

As NASA has terminated its operation of the facility at Cebreros and has no further requirement for its operation, the Government of the United States wishes to transfer possession of all non-removable property at Cebreros to the Government of Spain. It is understood that no further U.S. obligation or liability of this property will remain.

In accordance with paragraph 11 of the Agreement referred to above, the Government of the United States will retain title to all materials, equipment, supplies, goods or other items of removable property. Such property not required by NASA will be disposed of in accordance with U.S. laws and regulations which could include donation to Instituto Nacional de Técnica Aeroespacial (INTA). In the case of such donation to INTA, separate arrangements will be made by NASA and INTA.

If the foregoing is acceptable to the Government of Spain, I have the further honor to propose that this Note and Your Excellency's reply to that effect shall constitute an agreement between our two Governments to transfer the Cebreros facilities to the Government of Spain effective on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

TERENCE A. TODMAN

His Excellency

José Pedro Pérez-Llorca y Rodrigo  
Minister of Foreign Affairs  
Madrid

<sup>1</sup> Came into force on 15 February 1983, the date of the note in reply, in accordance with the provisions of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, vol. 511, p. 61.

<sup>3</sup> *Ibid.*, vol. 574, p. 259.

<sup>4</sup> *Ibid.*, vol. 720, p. 290.

Con la seguridad de que estas interpretaciones reflejan fielmente el generoso y liberal espíritu del Gobierno norteamericano, tengo el honor de proponer que la Nota de Vuestra Excelencia, arriba aludida, junto con esta de respuesta y la que refleja la conformidad norteamericana con estos extremos constituyen los elementos del Acuerdo de ambos Gobiernos sobre este asunto; y que entre en vigor en la fecha del último documento de Vuestra Excelencia.

Le ruego que acepte, Señor Embajador, el testimonio de mi alta consideración.

FERNANDO MORÁN  
Ministro de Asuntos Exteriores

Excelentísimo Señor Terence A. Todman  
Embajador de los Estados Unidos de América  
Madrid

[TRANSLATION — TRADUCTION]

Madrid, 3 January 1983

Excellency:

I have the honor to acknowledge receipt of your Note 1106 of this past 26 of November, which translates into Spanish as follows:

[See notes I and III]

Accept, Sir, etc.,

FERNANDO MORÁN  
Minister for Foreign Affairs

His Excellency Terence A. Todman  
Ambassador of the United States of America  
Madrid

### III

EMBASSY OF THE UNITED STATES OF AMERICA

Madrid, February 15, 1983

No. 97

Excellency:

I have the honor to acknowledge receipt of your Note No. 1 of January 3, 1983, which includes the body of my Note No. 1106 of November 26, 1982, and, translated into English, continues as follows:

"The Spanish Government, I have the honor to tell Your Excellency, receives with satisfaction the news of this new demonstration of the spirit of disinterested cooperation which has long governed relations between our two countries.

In order formally to accept the offer contained in the aforementioned note, my Government would like to verify its interpretation of the last sentence of paragraph 3, and the penultimate [sentence] of paragraph 4, with that of the U.S. Government. In the first case it (i.e., the Spanish Government) understands that the limitation of U.S. liability is 'in regard to acts or omissions subsequent to the time of transfer;' in the second case, that the Spanish undertaking is circumscribed or limited, in turn, to the 'acceptance of that removable property which is donated.'

With the assurance that these interpretations faithfully reflect the free and generous spirit of the U.S. Government, I have the honor to propose that your Excellency's note referred to above, together with this in reply and that which will indicate U.S. agreement with these points, constitute the elements of the agreement of our two governments on this matter, which [will] enter into force on the date of your Excellency's ultimate document.

I ask that you accept, Mr. Ambassador, the testimony of my highest consideration. Fernando Moran."

I have the further honor to inform Your Excellency that my Government concurs with the interpretations of the Spanish Government as set forth in your Note No. 1 quoted above, and to agree with your proposal that this Note, together with your Note No. 1 of January 3, 1983, and my Note No. 1106 of November 26, 1982, will constitute an agreement between our two Governments on this matter. Said agreement will enter into force as of the date of this note.

Accept, Excellency, the renewed assurances of my highest consideration.

[Signed]

TERENCE A. TODMAN  
Embajador de los Estados Unidos  
de América

His Excellency Fernando Morán López  
Minister of Foreign Affairs  
Madrid