

No. 22688

**SPAIN
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreement on economic and industrial co-operation (with
annex). Signed at Madrid on 20 October 1983**

Authentic texts: Spanish and German.

Registered by Spain on 26 January 1984.

**ESPAGNE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord de coopération économique et industrielle (avec
annexe). Signé à Madrid le 20 octobre 1983**

Textes authentiques : espagnol et allemand.

Enregistré par l'Espagne le 26 janvier 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF SPAIN AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC ON ECONOMIC AND INDUSTRIAL CO-OPERATION

The Governments of the Kingdom of Spain and the German Democratic Republic,

Wishing to develop economic and industrial co-operation between their two countries,

Intending to use their economic resources for the development of both countries, under a comprehensive long-term programme of co-operation,

Aware of the value of long-term conventions and agreements for ensuring stable and mutually beneficial co-operation,

Determined to conduct economic and industrial co-operation in accordance with the principles set forth in the Final Act of the Conference on Security and Co-operation in Europe,²

Have agreed as follows:

Article 1. The Contracting Parties shall promote the development of economic and industrial co-operation with the aim of expanding and diversifying their economic relations. With respect to such co-operation, the Contracting Parties shall accord each other the most favourable treatment possible.

Further, the Contracting Parties shall promote and facilitate co-operation between competent individuals and legal entities in the two countries, under their respective domestic legislation.

Article 2. Economic and industrial co-operation between the German Democratic Republic and the Kingdom of Spain shall, in particular, take the form of:

- Co-operation in the areas of exploration, prospecting, research, technology, processing and sales with regard to raw materials and energy products of importance to both countries;
- Establishment, modernization and expansion of industrial installations through the supply and construction of complete industrial plants, equipment and machines;
- Preparation of studies on investment projects and the supply of plants, the provision of documentation and the granting of the requisite technical assistance;
- Acquisition and granting of licences, access to know-how and exchanges of information in sectors of mutual interest;

¹ Came into force provisionally on 20 October 1983, the date of signature, and definitively on 30 November 1983, the date of the last of the notifications by which the Parties informed each other of their acceptance, in accordance with article 12.

² *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

- Co-operation in third countries with the aim of jointly executing projects in those countries;
- Other ways and means to be agreed on by the Contracting Parties.

Article 3. The specific details of economic and industrial co-operation shall be established in contracts and agreements between the economic organizations and competent enterprises of the German Democratic Republic and the Kingdom of Spain, in accordance with their respective domestic legislation.

Article 4. The Contracting Parties shall notify each other in due form of possible co-operation projects and their execution. They shall also seek to improve the exchange of information relevant to co-operation under this Agreement, particularly with regard to the legal framework for economic plans and programmes, the priorities established under such programmes and market conditions.

Article 5. Within the framework of the legal provisions in force in both countries, the Contracting Parties shall promote and support, in their common interest, co-operation projects and activities in third countries between enterprises and economic organizations of the German Democratic Republic and the Kingdom of Spain.

Article 6. The Contracting Parties shall accord particular importance to events organized to promote the development of co-operation, such as fairs, specialized exhibitions, symposia and other trade events. To that end, they shall facilitate the organization of such events and shall promote participation in them by enterprises and agencies of both countries.

Article 7. In view of the importance of financing for the development of economic and industrial co-operation projects, the Contracting Parties shall endeavour to facilitate access to credit, on the most favourable terms possible in each specific instance of co-operation, within the framework of their respective laws and regulations.

Article 8. In promoting economic and industrial co-operation, both Parties shall give particular attention to the specific problems posed by co-operation with small- and medium-size enterprises.

Article 9. The co-operation which is the subject of this Agreement shall be conducted in conformity with the international commitments entered into by the Contracting Parties, which shall seek to ensure that their international obligations do not infringe upon or restrict co-operation between their two countries.

Should the above international obligations of the Contracting Parties create difficulties for the implementation of this Agreement, consultations shall be held in the joint Commission with a view to finding the most favourable solution in keeping with the spirit of co-operation underlying this Agreement.

Article 10. To monitor compliance with this Agreement on Economic and Industrial Co-operation, the Contracting Parties shall establish a Joint Commission comprising representatives of both Governments.

Representatives of enterprises and institutions of the two countries may take part in the activities of the Joint Commission as advisers.

The Joint Commission may establish working groups to discuss specific issues and propose the negotiation of conventions and agreements in specific areas between competent agencies.

The Joint Commission shall review the development of economic and industrial co-operation between the German Democratic Republic and the Kingdom of Spain and shall identify areas in which it is deemed desirable to expand such co-operation. In this connection, the areas of co-operation listed in annex I to this Agreement have been identified as current priorities; other possible areas of co-operation may be defined in successive annual protocols to be prepared by the Joint Commission.

The Joint Commission shall also examine projects submitted by each of the Contracting Parties as well as proposals conducive to the development of economic and industrial co-operation. The Joint Commission shall submit to both Governments such recommendations and proposals as it deems necessary.

The Joint Commission shall meet annually or at the request of either Contracting Party, in the German Democratic Republic and in the Kingdom of Spain alternately.

Article 11. Any amendment to this Agreement must be made in writing.

Article 12. This Agreement shall enter into force on the day on which the Parties notify each other that they accept it in accordance with their respective legislation, and shall remain in effect for eight years from its entry into force. However, the provisions contained herein shall apply from the date of its signature. Upon expiration of its period of validity, the Agreement shall be automatically renewed for one-year periods unless it is denounced in writing by either Party six months prior to the expiration of any such period.

Article 13. Expiration of this Agreement shall not affect the implementation of contracts and agreements concluded but not completed during the period for which it is in force.

DONE AND SIGNED at Madrid on 20 October 1983, in two original copies, each of them in the German and Spanish languages, both texts being equally authentic.

For the Government
of the Kingdom of Spain:

[Signed]

LUIS VELASCO
Secretary of State for Trade

For the Government
of the German Democratic Republic:

[Signed]

GERHARD BEIL
Secretary of State for Foreign Trade

ANNEX I

AREAS OF CO-OPERATION

In accordance with the provisions of article 10 of this Agreement on Economic and Industrial Co-operation, the following shall be considered possible special areas of co-operation:

1. *Energy*

- Exploration and exploitation of lignite deposits;
- Construction of equipment for opencast mining;
- Equipment for coal stores at mines and electric power stations;
- Technology for gasification and carbonization of lignites;
- Lignite-fuelled electric power stations;
- Handling and transport of coal.

2. *Capital goods*

- Equipment for coal ports;
- Railway rolling-stock and signalling equipment;
- Construction of rail and truck-mounted cranes;
- Shipbuilding;
- Machine tools;
- Agricultural machinery.

3. *Complete industrial plants*

- Cellulose plants;
- Chemical plants;
- Rolling mills.

This list is not restrictive, and may be amended during the period of validity of the Agreement.
