

No. 23503

**SPAIN
and
COLOMBIA**

**Basic Agreement on scientific and technical co-operation.
Signed at Madrid on 27 June 1979**

Authentic text: Spanish.

Registered by Spain on 10 September 1985.

**ESPAGNE
et
COLOMBIE**

Accord de base relatif à la coopération scientifique et technique. Signé à Madrid le 27 juin 1979

Texte authentique : espagnol.

Enregistré par l'Espagne le 10 septembre 1985.

[TRANSLATION — TRADUCTION]

BASIC AGREEMENT¹ ON SCIENTIFIC AND TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA

The Government of Spain and the Government of the Republic of Colombia, Having regard to the strong historical ties between Spain and the Republic of Colombia,

Desiring to strengthen the close relations of friendship between their respective countries,

Aware of the common interest in promoting the economic and social development of their two nations,

Recognizing the mutual benefits to be derived from the co-ordinated exchange of scientific, technical and practical information for the achievement of the above-mentioned objectives,

Have agreed as follows:

Article I. 1. The two Parties shall extend technical co-operation to each other in all fields of interest to both countries.

2. The two Parties shall jointly draw up and implement technical co-operation programmes and projects with a view to expediting and ensuring the economic development and social well-being of both nations.

3. Specific technical co-operation programmes and projects shall be carried out in accordance with the provisions of this Agreement and, where appropriate, with those contained in supplementary agreements based on this Agreement and concluded separately and in writing between the competent authorities of the two Parties.

Article II. The technical co-operation provided for in this Agreement and in supplementary agreements based thereon may consist of:

- (a) The exchange of scientific and technological information through bodies designated by the two Parties, particularly institutes of research and technology, documentation centres and specialized libraries;
- (b) The exchange of technical personnel and experts for the provision of consultative and advisory services in the study, preparation and implementation of specific programmes and projects;
- (c) The organization of seminars, lecture series, vocational training programmes and other similar activities;
- (d) The award of fellowships or subsidies to candidates from either country duly selected and designated to participate in the other country in courses or programmes of vocational training, practical training or specialization in areas of common interest;

¹ Came into force on 20 December 1980, the date on which the Parties notified each other of the completion of the required constitutional procedures, in accordance with article XI.

- (e) The study, preparation and joint or co-ordinated implementation of research and/or development programmes and projects;
- (f) The provision or exchange of materials and equipment necessary for the development of the agreed co-operation;
- (g) The joint use of scientific and technical facilities on the basis of the necessary prior agreements;
- (h) Any other technical co-operation activity agreed on by the two countries.

Article III. The exchange of scientific and technological information provided for in the preceding article shall be subject to the following conditions:

1. The Parties may communicate the information received to public agencies or to institutions and enterprises serving the public interest in which the Government has decision-making powers;

2. The Parties may limit or prohibit the dissemination of information covered by supplementary agreements drawn up in accordance with article I, 3;

3. The dissemination of information may also be prohibited or limited when the other Party, or agencies designated by it, so decide prior to or during the exchange;

4. Each Party shall offer the other Party guarantees that persons authorized to receive information will not communicate such information to agencies or persons not authorized to receive it, in accordance with this article.

Article IV. Whenever they deem it necessary, the Parties may seek the participation of international agencies in the funding and/or execution of programmes and projects resulting from the forms of technical co-operation envisaged in this Agreement or in any supplementary agreement based thereon.

Article V. The contribution of each Contracting Party to the funding of technical co-operation programmes and projects carried out under this Agreement shall be established, in each case, by supplementary agreement.

Article VI. 1. A Joint Spanish-Colombian Commission shall be set up comprising representatives of the Contracting Parties. It shall meet at least once a year in Spain and the Republic of Colombia, alternately for the purpose of:

- (a) Identifying and determining those sectors in which it would be possible to carry out specific technical co-operation programmes and projects, assigning them an order of priority;
- (b) Proposing, considering and approving technical co-operation programmes and projects;
- (c) Evaluating the results of the execution of specific projects with a view to enhancing the effectiveness of activities undertaken under this Agreement.

2. Each Contracting Party may at any time submit technical co-operation proposals to the other Party through the normal diplomatic channels.

Article VII. The technical personnel or experts requested to provide consultative and advisory services shall be selected by the sending Party in the light of the specifications contained in the request. The sending Party shall communicate their names and qualifications to the other Party for prior approval.

In the performance of their duties, the personnel in question shall maintain close contact with the competent authorities of the country in which their services are being rendered and shall follow the instructions of those authorities regarding compliance with the provisions of this Agreement and of supplementary agreements based thereon.

Article VIII. In carrying out the programmes and projects provided for in this Agreement and in any supplementary agreements based thereon the following rules shall be observed:

1. Articles sent by one Party to the other and necessary for the implementation of programmes and projects shall be exempted from the payment of customs duties and any other charge, levy or tax and shall not be transferred, either for payment or free of charge, in the territory of the receiving country;

2. Salaries received from their own country by technical personnel, experts and research workers who are not nationals of the receiving State and have been sent by one of the Contracting Parties to the territory of the other for the execution of programmes and projects, shall not be subject to income tax in the receiving country.

3. In accordance with their respective laws, both Parties shall permit technical personnel, experts and research workers who are not nationals of the receiving State and are engaged in programme and project execution to import, free of import duties and taxes, the following items:

(a) Personnel effects for their own use and that of members of their family, provided that they comply with the relevant formalities;

(b) One motor-car per person or family group, imported for their personal use. Such importation shall be authorized on a temporary basis and subject to the formalities in force in each country.

At the end of their official mission, similar facilities shall be extended to them for the re-exportation of the above items.

4. The Parties shall permit technical personnel, experts and research workers freely to remit to their country of origin remuneration received in the performance of their duties.

5. Each Party shall extend to technical personnel, experts and research workers sent by the other Party such additional facilities as the administrative authorities of the receiving country are able to accord subsequently to bilateral technical co-operation personnel.

6. The exemptions and facilities described in the foregoing paragraphs shall be granted by the Parties on a reciprocal basis and in accordance with the domestic legislation of each country.

Article IX. Each Party shall adopt the measures necessary to facilitate the entry, stay and movement of technical personnel, experts and research workers from the other Party in the performance of their duties under this Agreement and any supplementary agreements based thereon, subject to the provisions of their respective laws on aliens.

Article X. The competent authorities of each Party shall, in accordance with the domestic legislation in force in the two countries, programme and co-ordinate the implementation of the international technical co-operation activities envisaged in this Agreement and in any supplementary agreements based thereon, and shall make

the necessary arrangements to that end. These functions shall be performed, in the case of Spain, by the Ministry of Foreign Affairs and, in the case of the Republic of Colombia, by the Ministry of Foreign Affairs, in co-ordination with the relevant services.

Article XI. This Agreement shall enter into force on the date on which the Parties notify each other that the necessary constitutional or legal formalities have been completed.

Article XII. 1. This Agreement shall remain in force for five years and shall be automatically renewable for periods of one year, unless one of the Parties notifies the other in writing, at least three months in advance of its decision not to renew.

2. This Agreement may be denounced in writing by either Party and shall cease to have effect three months after the date of such denunciation.

3. Denunciation shall not affect programmes and projects already in progress, unless the Parties agree otherwise.

4. Upon the entry into force of this Agreement, the Agreement on Technical and Financial Co-operation between Spain and Colombia, signed at Madrid on 20 November 1964, shall cease to have effect with regard to matters governed by this Agreement. This provision shall not affect programmes already in progress.

IN WITNESS WHEREOF this Agreement is signed in two equally authentic copies at Madrid on 27 June 1979.

For the Government
of Spain:

[Signed]

MARCELINO OREJA AGUIRRE
Minister for Foreign Affairs

For the Government
of the Republic of Colombia:

[Signed]

DIEGO URIBE VARGAS
Minister for Foreign Affairs