

No. 24834

**SPAIN
and
ECUADOR**

**Supplementary Agreement on international technical co-
operation regarding labour and social affairs. Signed
at Madrid on 25 October 1985**

Authentic text: Spanish.

Registered by Spain on 24 June 1987.

**ESPAGNE
et
ÉQUATEUR**

**Accord complémentaire relatif à la coopération technique
internationale dans le domaine social et du travail. Signé
à Madrid le 25 octobre 1985**

Texte authentique : espagnol.

Enregistré par l'Espagne le 24 juin 1987.

[TRANSLATION — TRADUCTION]

SUPPLEMENTARY AGREEMENT¹ ON INTERNATIONAL TECHNICAL
CO-OPERATION REGARDING LABOUR AND SOCIAL AFFAIRS

The Kingdom of Spain and the Republic of Ecuador, in the framework of the Agreement on social co-operation concluded by the two countries on 16 January 1967,² and the Basic Agreement on technical co-operation concluded by the two countries on 7 July 1971,³ have decided to conclude this Supplementary Agreement regarding labour and social affairs, as follows:

Article I. The objective of this Supplementary Agreement is to establish a framework in which to carry out co-operation programmes and projects and to determine the powers of the executing agencies.

Article II. The ministerial departments and agencies responsible for the execution of this Agreement shall be:

(a) For the Spanish Government: The Ministry of Labour and Social Security, through the Office of International Social Relations, which shall be supported and assisted by those of the Ministry's units and autonomous and subsidiary bodies whose responsibilities are related to the activities covered by this Agreement;

(b) For the Ecuadorian Government: The Ministry of Labour and Human Resources, through its respective agencies, the Ecuadorian Vocational Training Service (SECAP) and the Ecuadorian Social Security Agency (IESS).

Article III. The Spanish Government undertakes to:

(a) Send to Ecuador the team of experts required to carry out the activities provided for by mutual agreement between the Parties, for a maximum period of 60 expert-months each year;

(b) Underwrite the emoluments earned by the Spanish experts in respect of their service while on mission, in accordance with the pertinent regulations in force at the time, and defray the costs of their travel by air from their usual place of residence in Spain to their destination and back;

(c) Grant and defray the costs of up to 12 fellowships each year in Spain for personnel acting as counterparts of the Spanish experts and for managerial staff of the agencies involved in ongoing projects and activities, for a stay in Spain of up to three months and one month respectively, during which they shall be covered by health insurance in respect of illness and accidents.

¹ Came into force provisionally on 1 January 1986, and definitively on 22 April 1987, when the Parties had notified each other (on 26 February 1986 and 22 April 1987) of the completion of their respective procedures, in accordance with article X.

² United Nations, *Treaty Series*, vol. 1335, p. 245.

³ *Ibid.*, vol. 899, p. 175.

The fellowships referred to in the preceding paragraph shall be funded by the Government of Spain; they shall include daily subsistence allowance equivalent to the allowance applicable at the time to Spanish officials in national territory, a ticket for travel to Spain and back to the point of origin and organized travel within Spain and whatever contacts, instruction, and work and information materials are deemed necessary in each case shall also be provided.

Article IV. The financial obligations referred to in article III shall be discharged from the annual appropriations for technical co-operation in the regular budgets of the Ministry of Labour and Social Security.

Article V. Responsibility for Spanish co-operation activities regarding labour and social affairs shall rest with an area chief, appointed for that purpose, with such duties as may specifically be entrusted to him in certain cases, if the Office of International Social Relations of the Spanish Ministry of Labour and Social Security deems it appropriate, he shall take charge of the execution of certain projects which may be related to his field of specialization.

International technical co-operation personnel shall work in the host country under the direction of the Embassy of Spain, and their activities shall be co-ordinated by the Ministry of Foreign Affairs.

Article VI. The Ecuadorian Government undertakes to:

(a) Accord every facility for the implementation of the activities provided for in this Agreement;

(b) Provide the centres and facilities required for the implementation of the projects, in accordance with such priorities as may be established by mutual agreement;

(c) Exempt from all kinds of taxes, charges and customs or other duties, whether national, provincial, municipal or of any other kind, such materials, machinery and equipment as may be acquired in Spain for the Spanish technical co-operation mission;

(d) Grant the Spanish experts sent to Ecuador the privileges and exemptions which under Ecuadorian legislation are granted to officials of special government missions, and provide them with the appropriate documents, upon accreditation through the diplomatic channel, for the duration of their service with the mission;

(e) Assign to each expert such national counterparts, managerial staff, technical and teaching personnel and administrative staff as may be required for the proper functioning of the co-operation project, all of whom shall work closely with their Spanish counterparts;

(f) Provide the Spanish mission with the offices, staff and equipment required for the normal functioning both of the area chiefs and of their colleagues;

(g) Provide the Spanish experts with the necessary means of transport for any travel required in connection with their duties. In the event that they are required to travel away from their normal headquarters in the country, the Ecuadorian Government shall defray the related travel, accommodation and subsistence costs;

(h) Provide the Spanish experts with a monthly housing allowance of 15,000 sucres, to be reviewed each year.

Article VII. For the purpose of ensuring the effective implementation of this Agreement, the Parties agree to establish a Follow-up and Evaluation Commission, consisting, for Spain, of:

- A representative of the Ministry of Labour and Social Security;
- The Labour Attaché accredited to Ecuador;
- The area chief of Spanish technical co-operation activities;
- A representative of the Department of International Technical Co-operation of the Ministry of Foreign Affairs, who may appoint a delegate at the Embassy of Spain in Ecuador. .

For Ecuador:

- A representative of the Ministry of Foreign Affairs;
- A representative of the National Development Council (CONADE);
- A representative of the Ministry of Labour;
- A representative of SECAP;
- A representative of IESS.

Article VIII. The functions of the Commission referred to in the preceding article shall be as follows:

1. To report biannually to the Spanish-Ecuadorian Mixed Commission established under the Basic Agreement on Technical Co-operation of 7 July 1971, which shall indicate the broad outlines of activity;
2. To propose to the Office of International Social Relations of the Spanish Ministry of Labour and Social Security the annual programme of activities, provided for under this Agreement within the maximum limits set forth in article III, as well as the timetable for their execution;
3. To supervise the implementation of this Supplementary Agreement;
4. To suggest the adoption of appropriate measures to secure the maximum benefit and effectiveness from mutual co-operation;
5. To evaluate the activities carried out and transmit the results to the executing agencies of the Agreement and to the Embassy of Spain;
6. To propose such programme changes as may be deemed necessary for the projects, in relation to the indications referred to in paragraph 2 of this article;
7. The post of Chairman of the Commission shall be held alternately, by the representative of the Ministry of Labour of each of the two countries or by a person appointed by the area chief in his capacity as Secretary.

Article IX. The annual programme of activities referred to in paragraph 2 of the preceding article shall be submitted to the Follow-up and Evaluation Commission no later than 31 October of the previous financial year.

The said programme shall include details of the objectives, activities and human and material resources required for each of the projects contained therein.

Prior to the initiation of each project the Follow-up and Evaluation Commission shall be provided with the *curricula vitae* of the individuals selected by each country respectively as experts, counterparts and fellowship holders.

Article X. This Agreement shall apply provisionally with effect from 1 January 1986 and shall enter fully into force on the date on which the two Parties notify each other through the diplomatic channel that they have complied with their respective legal requirements. It may be denounced by either of the Parties, in which case it shall cease to apply six months after the date of denunciation, unless expressly agreed otherwise denunciation shall not affect execution of ongoing projects or activities.

The two Parties do by agreement sign this Supplementary Agreement at Madrid, on 25 October 1985, in duplicate, both texts being equally authentic.

For the Kingdom of Spain:

[Signed]

LUIS YAÑEZ-BARNUEVO
Secretary of State
for International Co-operation
and Ibero-America

For the Republic of Ecuador:

[Signed]

JULIO CORREA PAREDES
Assistant Secretary
for Economic Affairs
Ministry of Foreign Affairs
