

No. 27584

SPAIN
and
DOMINICAN REPUBLIC

Cultural Agreement. Signed at Trujillo on 27 January 1953

**Additional Protocol to the above-mentioned Agreement.
Signed at Madrid on 2 June 1973**

Authentic text: Spanish.

Registered by Spain on 24 October 1990.

Termination (*Note by the Secretariat*)

ESPAGNE
et
RÉPUBLIQUE DOMINICAINE

Accord culturel. Signé à Trujillo le 27 janvier 1953

**Protocole additionnel à l'Accord susmentionné. Signé à
Madrid le 2 juin 1973**

Texte authentique : espagnol.

Enregistrés par l'Espagne le 24 octobre 1990.

Abrogation (*Note du Secrétariat*)

[TRANSLATION — TRADUCTION]

CULTURAL AGREEMENT¹ BETWEEN THE DOMINICAN REPUBLIC AND SPAIN

The Governments of the Dominican Republic and of the Spanish State, convinced of the need to preserve the common spiritual values that have closely united their peoples, desiring to strengthen the bonds of friendship between them, recognizing the mutual benefits that will accrue from closer cultural ties through the development of literary, artistic and scientific exchanges, have resolved to conclude a Cultural Agreement for that purpose and to that end, have appointed as their plenipotentiaries:

For the President of the Dominican Republic: His Excellency Mr. Virgilio Díaz Ordóñez, Secretary of State for External Relations; and

For the Head of the Spanish State: His Excellency Mr. Manuel Valdés Larrañaga, Ambassador Extraordinary and Plenipotentiary of Spain,

Who, having exchanged their full powers and found them in good and due form, have agreed as follows:

Article I

The High Contracting Parties shall encourage cultural exchanges between the two countries in the literary, scientific and artistic fields and to that end have agreed:

1. To facilitate to the greatest possible extent and actively participate in the organization of reciprocal visits by writers, artists, students, art exhibitions and music and drama groups;
2. To promote, through their respective competent bodies and to the greatest extent possible, the exchange of scientific, literary and artistic, technical and administrative publications;
3. To develop radio and television programmes so far as possible, broadcasting cultural programmes of mutual interest;
4. To organize the exchange of films produced in either country;
5. To promote the establishment, in the main public libraries in both countries, of special sections, open to the general public, to house works received under the publications exchange arrangement;
6. To contribute, through the competent services in each High Contracting Party, to the production of publications on the history and geography of each country, and of biographical publications on its leading historical figures for the widest possible dissemination;
7. To cooperate, through their competent bodies, in the exchange of copies of works in their archives and public libraries that are of cultural interest to either

¹ Came into force on 19 November 1953 by the exchange of the instruments of ratification, which took place at Madrid, in accordance with article VI (3).

country, in accordance with the domestic legislation applicable to the case in question.

Article II

The High Contracting Parties agree to grant fellowships to each other's nationals to study at establishments for teacher training and higher and technical education and to attend establishments and courses of specialized or advanced training in the other High Contracting Party, subject to the necessary arrangements concerning, in particular, the number, field of study, duration and monetary value of the fellowships granted.

1. They also agree to facilitate the exchange of teachers, professors, lecturers, writers, artists and scientists by providing the necessary facilities, such as travel allowances, subsidies and other types of support for such exchanges.
2. They agree further to exchange professional and technical personnel who will serve temporarily in State and independent establishments and public service entities in the other High Contracting Party.
3. They agree, moreover, to exchange specialists for the purpose of offering lecture series on scientific, technical, artistic and literary subjects.
4. In each case, the necessary prior arrangements shall be made concerning the number, field or course, specialization or services, and duration of the latter as well as expenses and allowances relating to such professional, technical or specialist personnel.

Article III

Nationals of both countries holding degrees or diplomas issued by the competent national authorities and entitling them to exercise liberal professions in either of the Contracting States shall be deemed to be qualified to exercise those professions in the territory of the other, subject to its rules and regulations. Such exercise shall require prior authorization from the Ministry of Labour in Spain or of the competent body or authority in the Dominican Republic, as the case may be, and the authorities may grant such authorization subject to the conditions laid down by the laws and regulations relating to foreign workers and to the exercise of each profession, such authorization being revocable. Persons thus authorized to exercise their professions shall be subject to all regulations, laws, taxes and fees to which the State subjects its own nationals.

Subject to the same conditions, any person holding the *bachillerato* (secondary school leaving certificate), entitling the holder (*Bachiller*), without further qualifying tests, to pursue higher studies in the normal way, shall be deemed to be entitled to pursue those studies in either country, in accordance with the legislation in force in the State recognizing the degree or certificate in question.

Recognition of the degree or diploma shall be subject to the following requirements:

1. The said document, duly authenticated, must be produced.
2. The person producing it must show proof, by means of a certificate issued by his or her country's nearest mission or consulate, that he or she is the person on whom it was conferred.

3. Any person in either country applying for recognition of an academic diploma or degree issued by the other country qualifying the holder to pursue university or higher studies or to exercise a profession shall provide proof that such a document is required in his or her own country in order to pursue those studies or to exercise the profession for which it was awarded.

Article IV

The High Contracting Parties agree to provide reciprocal copyright protection to literary, scientific and artistic works, and to this effect the Dominican Republic shall grant Spanish authors protection under the Inter-American Convention on the rights of the author in literary, scientific and artistic works, signed at Washington in 1946,¹ and Spain shall grant Dominican authors the protection provided for under the Berne Convention for the Protection of Literary and Artistic Works, as revised at Brussels in 1948,² without necessitating any formality or requirement whatsoever on the part of the authors from both countries.

Article V

The respective Ministries of Foreign Affairs of each of the High Contracting Parties shall draw up any supplementary agreements required for the implementation of this Agreement; in each case these shall be the subject of an exchange of notes.

Article VI

1. This Agreement shall be adopted and ratified in conformity with the Constitution and laws of each of the two High Contracting Parties.

2. The exchange of the instruments of ratification shall take place at Madrid as soon as possible.

3. This Agreement shall come into force simultaneously for both Parties on the date of the exchange of the instruments of ratification and may be terminated by either party subject to at least one year's notice. The status of persons benefiting under the terms of the Agreement shall be maintained until 31 December, inclusive, of the year in which the termination takes effect; in the case of fellowship-holders, the fellowships shall be maintained until the end of the academic year already commenced when the termination takes effect.

IN WITNESS WHEREOF the plenipotentiaries have signed and sealed this Agreement in duplicate, both texts being equally authentic, in the Spanish language, at Ciudad Trujillo, capital of the Dominican Republic, on the twenty-seventh day of the month of January of the year nineteen hundred and fifty-three.

VIRGILIO DÍAZ ORDÓÑEZ

MANUEL VALDÉS LARRAÑAGA

¹ United Nations, *Treaty Series*, vol. 1438, p. 23.

² *Ibid.*, vol. 331, p. 217.

[TRANSLATION — TRADUCTION]

ADDITIONAL PROTOCOL¹ TO THE CULTURAL AGREEMENT BETWEEN THE GOVERNMENTS OF SPAIN AND THE DOMINICAN REPUBLIC²

The Governments of Spain and the Dominican Republic, desiring to coordinate and programme their bilateral cultural relations periodically, and in order to give effect to their Cultural Agreement of 1 July 1953, have decided to establish a Joint Standing Commission for the implementation of that Agreement, consisting of two sections, a Spanish section based in Madrid and a Dominican section based in Santo Domingo. They shall meet separately whenever either Party deems it necessary, or together, in plenary session, alternately in either capital.

The sections shall be composed of three members appointed by the Government of the country where their headquarters are located and one member from the diplomatic representation of the other country.

The work of the Joint Standing Commission shall consist in drafting and adopting "implementation programmes" which shall specify all activities and exchanges to be undertaken over the next three years.

On the understanding that both Parties, by mutual agreement, decide to hold plenary sessions, the dates of these meetings shall be communicated three months in advance through the diplomatic channel.

DONE at Madrid, 2 June 1973.

For the Government
of Spain:

[GREGORIO LOPEZ BRAVO]
Minister
for Foreign Affairs

For the Government
of the Dominican Republic:

[VICTOR GOMEZ VERGES]
Secretary of State
for foreign Affairs

¹ Came into force on 2 June 1973 by signature.

² See p. 178 of this volume.

TERMINATION OF THE CULTURAL AGREEMENT OF 27 JANUARY 1953 BETWEEN THE DOMINICAN REPUBLIC AND SPAIN AND OF ITS ADDITIONAL PROTOCOL OF 2 JUNE 1973¹

The Government of Spain registered on 24 October 1990 the Agreement on cultural and educational co-operation between the Kingdom of Spain and the Dominican Republic signed at Madrid on 15 November 1988.²

The said Agreement, which came into force provisionally on 15 November 1988, and definitively on 28 September 1989, provides, in its article XV, for the termination of the above-mentioned Agreement of 27 January 1953 and its Additional Protocol of 2 June 1973.

(24 October 1990)

¹ See p. 181 of this volume.

² See p. 189 of this volume.