

No. 29862

**SPAIN
and
MOROCCO**

**Treaty of friendship, good-neighbourliness and cooperation.
Signed at Rabat on 4 July 1991**

Authentic texts: Spanish and Arabic.

Registered by Spain on 24 March 1993.

**ESPAGNE
et
MAROC**

**Traité d'amitié, de bon voisinage et de coopération. Signé à
Rabat le 4 juillet 1991**

Textes authentiques : espagnol et arabe.

Enregistré par l'Espagne le 24 mars 1993.

[TRANSLATION — TRADUCTION]

TREATY¹ OF FRIENDSHIP, GOOD-NEIGHBOURLINESS AND CO-OPERATION BETWEEN THE KINGDOM OF SPAIN AND THE KINGDOM OF MOROCCO

PREAMBLE

The Kingdom of Spain and the Kingdom of Morocco, hereinafter referred to as the “High Contracting Parties”,

Aware of their close geographical proximity in the critical region to which they belong,

Mindful of the ties which history has gradually established between their peoples, through changes that have sometimes been contradictory but have always been meaningful, profound and enriched by fruitful *rapprochement*,

Determined to preserve the common cultural heritage created by the close interaction of their respective histories, which began almost 13 centuries ago and has left its clear mark on each country, as well as on universal culture,

Sensitive to the growing contact between Spaniards and Moroccans which current international circumstances have encouraged and which is bound to increase in the future,

Guided by a common determination to further strengthen their bilateral political relations and determined to usher in a new era of solidarity that better responds to the aspirations of their future generations by establishing a comprehensive, lasting framework for political coexistence based on peace, freedom and the prosperity of their respective peoples,

United in solidarity by the mission imposed on them by their privileged position at the meeting point of the Atlantic Ocean and the Mediterranean Sea, and taking into consideration the convergence of interests between their two countries,

Convinced that mutual understanding and cooperation between the two Kingdoms are an indispensable guarantee of peace, stability and security in the region and the best means of serving the objectives of the progress and development of their two peoples,

Conscious therefore of their responsibility as forerunners in the efforts to promote international cooperation in this geographical area,

Convinced of the economic and political importance of regional integration processes for the international situation, both countries being involved in the integration processes in their respective regions,

Aware of these challenges and determined to set in motion a process which endeavours to establish a system of dialogue and cooperation that will finally eliminate the tendency towards disputes and confrontation throughout the Mediterra-

¹ Came into force on 28 January 1993, the date on which the Parties informed each other of the completion of the required internal procedures, in accordance with article 14.

nean region, particularly the western Mediterranean, a border area which, because of its nature and specific character, requires priority attention and development,

Reaffirming their strict adherence to the principles of international law and the purposes and principles of the Charter of the United Nations,

Keeping in mind the treaties, agreements and protocols in force between the two countries,

Declaring their determination to maintain relations of friendship, good-neighbourliness and overall cooperation, expressing their intention that this Treaty shall constitute an appropriate framework for developing new areas of understanding and cooperation, and acting in the spirit of the joint declaration signed at Rabat on 21 December 1990, which expanded upon the joint communiqué signed on the occasion of the official visit of His Majesty King Hassan II to Spain on 27 September 1989,

Have agreed as follows:

GENERAL PRINCIPLES

1. *Respect for international law*

The High Contracting Parties undertake to carry out in good faith the obligations which they have contracted under international law, whether those arising from the generally recognized principles and norms of international law or those deriving from treaties or other agreements under international law to which they are a party.

2. *Sovereign equality*

The High Contracting Parties shall respect each other's sovereign equality and individuality and all the rights inherent and embodied in that sovereignty, in particular, the right to equality before the law, territorial integrity, freedom and political independence. They shall, moreover, respect the right of each Party freely to choose and develop its political, social, economic and cultural system.

3. *Non-intervention in internal affairs*

The High Contracting Parties shall refrain from any direct or indirect, individual or collective intervention in internal or external affairs falling within the internal jurisdiction of the other Party.

They shall consequently refrain, under all circumstances, from any act of military, political, economic or other coercion designed to subordinate to their own interest the exercise of rights inherent in the sovereignty of the other Party and thereby to obtain advantages of any kind.

4. *Non-recourse to the threat or use of force*

In their mutual relations, both Parties shall refrain from recourse to the threat or use of force against the territorial integrity or political independence of the other Party, and from any other action incompatible with the purposes of the United Nations. No consideration may be invoked that might serve to justify such recourse. Both Parties shall accordingly refrain from any act which might constitute a threat of force or a direct or indirect use of force.

5. *Peaceful settlement of disputes*

In a spirit consistent with the motives that have led to the conclusion of this Treaty of Friendship, Good-Neighbourliness and Cooperation, the High Contracting Parties shall settle any disputes which may arise between them by peaceful means, in such a way that international peace and security and justice are not jeopardized.

They will strive in good faith and in a spirit of cooperation to arrive in the most expeditious manner possible at a solution in conformity with international law in order to achieve a fair outcome.

6. *Development cooperation*

The two Parties shall endeavour to maximize their mutual economic potential in order to create a framework of prosperous, egalitarian and balanced cooperation. In this context, they shall always keep in mind their interest in reducing the differences in their levels of economic development by creating a new climate of economic and financial solidarity that underlines the positive aspects of the complementarity between their respective economies, thereby permitting the achievement of a level of growth and prosperity in the economic, scientific, technological, social, cultural and humanitarian fields.

7. *Respect for human rights and fundamental freedoms*

The High Contracting Parties shall respect human rights and fundamental freedoms, including freedom of thought, conscience, religion and belief, without distinction as to race, sex, language or religion.

In this context, they shall promote and strengthen the effective exercise of civil, political, economic, social, cultural and other rights and freedoms, all of which derive from the inherent dignity of the human person and are essential to his or her full and free development.

In this framework, both Parties shall act in conformity with their respective internal legislation, the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights. They shall also fulfil their obligations as defined in the relevant international agreements and declarations in this field, including the International Human Rights Covenants, by which they may be bound.

8. *Dialogue and understanding between cultures and civilizations*

The High Contracting Parties shall encourage all action designed to create a common cultural space, drawing inspiration from their traditional historical and human ties that, in the principles of tolerance, coexistence and mutual respect, will find the guidance which makes it possible to weave a solid and fruitful common heritage. In this context, the two Parties shall endeavour to promote greater and better knowledge of each other in order to eliminate old misunderstandings and collective apprehensions that are impeding the establishment of improved understanding between their societies and peoples.

Both Parties declare their resolve to ensure that these principles are respected and applied, with a view to developing a new philosophy in their relations of cooperation that is based on mutual trust, complementarity, comprehensiveness and the need to mobilize all the strength and creativity of their societies in the search for a new common language of cooperation.

CHAPTER I

BILATERAL POLITICAL RELATIONS

Article 1

Desiring to reinforce and strengthen the ties that bind them, the High Contracting Parties propose to establish a framework of bilateral political contacts that is more in keeping with the level of cooperation and consultation to which they aspire. To that end, they have agreed to institutionalize the following:

1. An annual high-level meeting between the Heads of Government of the two countries, to be held in Morocco and Spain alternately. Meetings shall be held between ministers and secretaries of State with the aim of preparing properly for the annual meeting.

2. A biannual meeting, held in Spain and Morocco alternately, between the ministers for foreign affairs of both countries.

3. Regular consultations between the secretaries of State, secretaries-general and directors-general for political affairs, security and disarmament, consular affairs, cultural affairs, economic relations and cooperation.

They shall likewise promote contacts and dialogue between the parliaments, professional organizations, private sector representatives and university, scientific and technical institutions of Spain and Morocco.

CHAPTER II

RELATIONS OF COOPERATION

*(a) Economic and financial cooperation**Article 2*

With the aim of facilitating the mobilization and modernization of the economy of the Kingdom of Morocco, the Government of Spain and the Government of Morocco shall use the cooperation agreements in force between the two countries to stimulate economic and financial cooperation, without prejudice to the international obligations assumed by both Parties.

Article 3

The High Contracting Parties shall promote and encourage the development of contacts between the production and service sectors of both countries, as well as the execution of specific investment and joint investment projects.

Article 4

Both Parties shall promote the development of infrastructure projects of common interest in the areas of energy and transport and communications.

*(b) Cooperation in the area of defence**Article 5*

The High Contracting Parties shall promote cooperation between their armed forces, devoting particular attention to exchanges of personnel and observers, the

organization of training and advanced training courses, the comparison of experiences with teaching materials and the conduct of joint exercises.

The objectives of this cooperation shall also include the organization of joint programmes for research into and the development and production of weapons systems and defence *matériel* and equipment designed to meet the needs of both Parties, through exchanges of technical, technological and industrial information.

(c) *Development cooperation*

Article 6

Aware of the need to stimulate such cooperation at both the bilateral and the multilateral level in order to promote the socio-economic development of their populations, the High Contracting Parties shall establish specific programmes and projects in the primary, secondary and tertiary sectors that may include joint activities in third countries.

The two Parties shall promote, *inter alia*:

- (a) Cooperation in the maritime fishing and related activities sector;
- (b) Cooperation in the agro-food and environmental protection sectors, with special emphasis on pollution and desertification control and water resources management;
- (c) Cooperation in the health field;
- (d) Cooperation in the tourism sector;
- (e) Cooperation in the rational use of energy and renewable energy sources;
- (f) Cooperation in the Strait of Gibraltar area, through the promotion of studies, activities and projects in the physiographical, oceanographical and meteorological fields, with a view to establishing a fixed link between Spain and Morocco across the Strait of Gibraltar;
- (g) Cooperation in the field of vocational training.

Both Parties undertake to include in the various sectors of cooperation exchanges of professional expertise, human resources training and technology transfers.

(d) *Cultural cooperation*

Article 7

The High Contracting Parties, aware of the important historical and cultural legacy which they share, undertake to promote their cooperation in the fields of education and teaching through exchanges of students, teachers and university researchers and exchanges of scientific and teaching documentation.

Relations between universities and the award of study and research grants shall also be encouraged.

Article 8

The two Parties shall work together to promote cooperation in the audio-visual field, particularly between their respective public radio and television corporations, and in the fields of cinematography, art and sports.

Article 9

The two Parties agree to accord particular attention to the teaching of the Arabic language and civilization in Spain and the Spanish language and civilization in Morocco, as well as to the establishment and operation of cultural centres in their respective territories.

*(e) Cooperation in the legal and consular field**Article 10*

In the legal field, the two Parties agree to:

(a) Promote legal cooperation in the commercial, civil, criminal and administrative spheres, as a means of strengthening cooperation between their respective judicial administrations and organs and guaranteeing their efficient functioning;

(b) Promote the study of their respective laws, particularly in the commercial and business fields, with the aim of facilitating cooperation between businesses and the integration of their respective economies;

(c) Pay particular attention to international efforts to combat terrorism, organized crime and drug trafficking.

Article 11

In the consular field, the two Parties agree to establish close cooperation between their consular services with a view to ensuring better integration of their respective nationals in the other country.

Article 12

Both Parties undertake to develop the various fields of cooperation mentioned with a view to ensuring the establishment of appropriate living and working conditions for the Moroccan and Spanish communities in their respective countries and better understanding between their peoples, in accordance with the ultimate objective of this Treaty.

Article 13

The specific cooperation programmes and projects negotiated under this Treaty shall be identified by both Parties through the joint commission competent for each sector.

FINAL REQUIREMENTS

Article 14

This Treaty shall enter into force once both Parties have notified each other through the diplomatic channel that the requirements established by their internal legislation have been fulfilled, and shall remain in force until denounced by either Party through the same channel. Such denunciation shall take effect six months after receipt of notification by the other Party.

DONE at Rabat on 4 July 1991, in two originals in the Spanish and Arabic languages, both texts being equally authentic.

For the Kingdom
of Spain:

[*Signed*]

FELIPE GONZALEZ MARQUEZ
President of the Government

For the Kingdom
of Morocco:

[*Signed*]

AZEDDINE LARAKI
Prime Minister
