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**SPAIN
and
POLAND**

**Treaty on friendship and cooperation. Signed at Madrid on
26 October 1992**

Authentic texts: Spanish and Polish.

Registered by Spain on 30 January 1995.

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**ESPAGNE
et
POLOGNE**

**Traité d'amitié et de coopération. Signé à Madrid le 26 octo-
bre 1992**

Textes authentiques : espagnol et polonais.

Enregistré par l'Espagne le 30 janvier 1995.

[TRANSLATION — TRADUCTION]

TREATY¹ ON FRIENDSHIP AND COOPERATION BETWEEN THE KINGDOM OF SPAIN AND THE REPUBLIC OF POLAND

The Kingdom of Spain and the Republic of Poland, hereinafter referred to as the Contracting Parties,

Desiring to reinforce the friendship between their States and peoples and strengthen their political, economic and cultural ties,

Reaffirming their commitment to the ideals of freedom, democracy, justice and human rights,

Aspiring to achieve stability in the new European order and world peace,

In observance of the decisions of the Helsinki Final Act of the Conference on Security and Cooperation in Europe² as well as the Charter of Paris for a New Europe³ and the commitments arising from the Charter of the United Nations,

Convinced of the need to overcome definitively the division of Europe, in particular through the development and utilization of security and cooperation mechanisms throughout the European continent, and, taking into account their common responsibility in this task, to cooperate in the future design of what is known as the “architecture of Europe”,

Aware of the responsibility both Contracting Parties bear as a result of their participation in the Council of Europe,

Reaffirming the importance of the Agreement of Association between the Republic of Poland and the European Communities and their member countries and recalling that the ultimate goal of the Republic of Poland is to become a member of the European Communities,

Desiring to expand bilateral relations and give them a qualitatively new dimension,

Convinced that the development of direct contacts between the States and their peoples makes an essential contribution to better understanding between peoples,

Have agreed as follows:

Article I

The Kingdom of Spain and the Republic of Poland shall pursue and strengthen their cooperation based on the principles of friendship, trust and mutual respect between their peoples.

Article II

The Contracting Parties, acting within the framework established by the Conference on Security and Cooperation in Europe, shall contribute to the development of the disarmament process and confidence-building on the European continent.

¹ Came into force on 4 December 1994, i.e., 30 days after the exchange of the instruments of ratification, which took place at Warsaw on 4 November 1994, in accordance with article XIX.

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

³ United Nations, *Official Records of the General Assembly, Forty-fifth session*, document No. A/45/859, p. 3.

Article III

The Contracting Parties shall be guided in their activities by the Charter of the United Nations, the Final Act of the Conference on Security and Cooperation in Europe and the Charter of Paris for a New Europe, and in particular by the principles of sovereign equality, refraining from the threat or use of force, inviolability of frontiers, territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief, equal rights and self-determination of peoples, cooperation among States and fulfilment in good faith of obligations under international law.

Article IV

The Contracting Parties shall cooperate in the maintenance of peace and the strengthening of security in Europe. Within the framework of the Conference on Security and Cooperation in Europe, they shall work to promote stability on the European Continent and to advance the process of disarmament, confidence-building and transparency. In their activities they shall be guided by the principle of sufficient defence and shall take into consideration the security conditions in Europe as a whole. They shall support the institutional structures and mechanisms to strengthen the effectiveness of the CSCE process and contribute to the guaranteeing of genuine and integral security for all European States.

Article V

The Contracting Parties shall develop and intensify their relations in the field of defence. To that end they shall promote contacts between their Ministries of Defence and the armed forces.

Article VI

In the event that a situation arises which, in the opinion of one of the Contracting Parties, could pose a threat to international peace and security and thus heighten international tension, the Government of the Kingdom of Spain and the Government of the Republic of Poland shall contact each other on an emergency basis, through the channels they deem appropriate, with the aim of exchanging views on the measures which could reduce the tension and help to solve the problem.

If one of the Contracting Parties believes that its security interests are affected, it may propose to the other Party that bilateral consultations should be held immediately.

Article VII

The Contracting Parties shall pay special attention to the enhancement of relations between the Parliaments of Spain and the Republic of Poland.

Taking into consideration the constitutional systems of the two States, the Contracting Parties shall support direct contacts between their authorities and the development of cooperation at all levels.

In the same spirit, the Contracting Parties shall facilitate cooperation between the political, social and trade-union organizations of the two States.

Article VIII

The Contracting Parties shall organize consultations at various levels for the purpose of ensuring the expansion of their bilateral relations, and shall also harmonize, as far as possible, their points of view on international issues of mutual interest.

Meetings at the highest political level shall take place as deemed necessary.

The Ministers for Foreign Affairs shall meet at least once a year.

Meetings between other members of the two Governments shall be held as deemed necessary.

Periodic consultations at the expert level shall be held as deemed necessary.

Article IX

Taking into account the goal of the gradual integration of the Republic of Poland into the European Community, the Kingdom of Spain shall contribute to the effective implementation of the European Agreement of Association concluded between them.

The Contracting Parties shall establish close cooperation in fields of particular importance from the standpoint of the European integration process.

Moreover, the Kingdom of Spain shall support the efforts of the Republic of Poland to establish the conditions for its full integration into the European Communities.

Article X

The Kingdom of Spain and the Republic of Poland shall promote the development of their economic and financial relations, and shall give them priority within the context of the bilateral cooperation between the two States.

The Contracting Parties shall support the establishment of direct ties between their economic actors and shall create favourable conditions for the execution of joint projects and activities. In particular, they shall protect the investments made by the other Party as well as those of joint enterprises in which third-country capital is also involved.

In particular, the Contracting Parties shall develop cooperation in the spheres of economic management and the training of managerial and technical personnel and in the introduction of market-economy mechanisms.

Within their respective territories, the Contracting Parties shall establish conditions for cooperation between Spanish and Polish small and medium-sized businesses in particular.

The Contracting Parties shall establish cooperation between themselves and with other States, within the framework of such economic institutions as the International Monetary Fund, the World Bank and the European Bank for Reconstruction and Development.

Article XI

The Kingdom of Spain and the Republic of Poland shall promote closer bilateral contacts in the areas of foreign trade, industry, finance, agriculture, protection

of the environment, health care, legislation, government administration, tourism and in such other areas as the Parties may find appropriate.

Article XII

In accordance with its legal system and relevant international agreements, each of the Contracting Parties shall guarantee to the citizens of the other Party legally residing and working in its territory protection of their rights, including the right to welfare benefits.

Article XIII

The Kingdom of Spain and the Republic of Poland shall strengthen their cultural, scientific, educational and technical cooperation.

The Contracting Parties shall participate in and support the establishment of direct contacts between Government institutions, cultural centres, artists' unions and associations, universities and other centres of higher education, research centres, foundations, private organizations and individuals in the cultural, scientific and education fields.

The Contracting Parties shall pay special attention to the mutual dissemination of information on the national cultural and artistic heritage. To that end, they shall organize, *inter alia*, exchanges of individuals, placing special emphasis on youth exchanges.

Article XIV

The Contracting Parties recognize the fundamental role of languages and literature in developing closer ties between peoples. Therefore, the Contracting Parties shall, in the future and as their circumstances allow, consider opening cultural centres whose scope and activities shall be established by intergovernmental agreement.

The Contracting Parties shall support initiatives to establish bilingual programmes or schools.

Article XV

The Contracting Parties shall create the conditions for cooperation between radio, television and other mass media of the two States.

The Contracting Parties shall promote activities in the fields of publishing and translation for the purpose of making available the best works in the literature of both countries.

Article XVI

The Contracting Parties undertake to exchange experience and mutual assistance in the protection and restoration of cultural property and works of art.

Article XVII

The Contracting Parties shall cooperate in combating organized crime and drug trafficking. They shall exchange experiences and information to that end.

The Contracting Parties also undertake to cooperate in combating terrorism, smuggling and hijacking of aircraft or maritime vessels, including the illegal import, export and transfer of cultural property.

Article XVIII

This Treaty is not directed against third countries. It shall not affect the rights and obligations arising under international bilateral or multilateral treaties currently in effect concluded by the Contracting Parties with other States.

Article XIX

This Treaty shall be ratified by each of the Contracting Parties and shall enter into force 30 days after the Parties have exchanged the instruments of ratification.

It shall remain in force for 10 years, and shall be automatically renewed for periods of five years, unless one of the Contracting Parties notifies the other in writing of its intention not to renew it at least one year prior to the expiration of each period of validity.

DONE at Madrid, on 26 October 1992, in two copies, in the Spanish and Polish languages, both texts being equally authentic.

For the Kingdom of Spain:

JAVIER SOLANA MADARIAGA
Minister for Foreign Affairs

For the Republic of Poland:

KRZYSZTOF SKUBISZEWSKI
Minister for Foreign Affairs