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**SPAIN
and
URUGUAY**

**General Treaty of cooperation and friendship (with annex
and Economic Agreement). Signed at Madrid on 23 July
1992**

Authentic text: Spanish.

Registered by Spain on 26 July 1994.

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**ESPAGNE
et
URUGUAY**

**Traité général de coopération et d'amitié (avec annexe et
Accord économique). Signé à Madrid le 23 juillet 1992**

Texte authentique : espagnol.

Enregistré par l'Espagne le 26 juillet 1994.

[TRANSLATION — TRADUCTION]

GENERAL TREATY¹ OF COOPERATION AND FRIENDSHIP BETWEEN THE KINGDOM OF SPAIN AND THE EASTERN REPUBLIC OF URUGUAY

The Kingdom of Spain and the Eastern Republic of Uruguay (hereinafter referred to as the Parties),

Considering their desire to strengthen the deep historical and cultural ties which have always existed between the two countries and the close bonds of friendship which have traditionally united their peoples,

Noting their complete agreement on such key principles as the self-determination of peoples, non-intervention, refraining from the threat or use of force in international relations, the peaceful settlement of disputes, the sovereign equality of States and international cooperation for development,

Convinced of the need to live in a stable and full democracy built on solid foundations as the only political system capable of fulfilling the ethical, social, economic and cultural aspirations of peoples and of providing a vehicle for the expression of their concerns,

Reiterating their commitment to defend and ensure respect for human rights within the framework of the rule of law, which is the guarantee of the dignity and security of citizens,

Conscious of the need to combine their efforts in order to achieve a just and lasting peace throughout Latin America as a prerequisite for consolidating democracy and the economic and social development of the region,

Affirming the importance of promoting economic development, which is one of the basic requirements for consolidating and maintaining a democratic system of freedoms,

Convinced of the need to give a decisive boost to practical and concrete efforts to achieve the integration of Latin America, which will foster development and closer relations among its peoples,

Recognizing the significance of the Quincentenary of the Discovery/Encounter between Two Worlds, as a historic opportunity for reflecting on the prospect of an Ibero-American community of nations in the future,

Noting that Spain particularly in view of its membership of the European Community, and the Eastern Republic of Uruguay, in view of its participation in the processes of Latin American political and economic integration, will contribute to the strengthening of the relations between Europe and Ibero-America,

¹ Came into force on 4 June 1994, i.e., 30 days after the date on which the Parties had informed each other (on 18 June 1993 and 5 May 1994) of the completion of the required internal procedures, in accordance with article 19.

Expressing their strong condemnation of any action that is contrary to democracy and to the freedoms that exist through the will of the people in both countries, as well as their abhorrence of all violence, authoritarianism and intolerance,

Believing that it is necessary to combine their efforts, at the international level, in order to combat terrorism and drug trafficking,

Stressing the urgent need to pool their energies in order more effectively to protect and defend the environment, without prejudice to the right to the rational exploitation of natural resources,

Conscious of the seriousness of the problems posed by the external debt and the obstacles to free international trade for the development of the peoples of Ibero-America and the consolidation of their democracies,

Stressing the urgent need to supplement these provisions by a general treaty which covers the provisions set out in the specific agreements in force or which may be concluded on the basis of this Treaty, and pursuant to the provisions of the instrument establishing the legal framework for the Treaty of Cooperation and Friendship between Uruguay and Spain, signed in Madrid on 7 April of this year, 1992,

Have agreed as follows:

PRELIMINARY PROVISIONS

AREAS OF COOPERATION

Article 1

The Parties hereby agree to strengthen their bilateral cooperation in the political, economic and financial, technical, scientific and technological cooperation, educational, cultural and consular spheres through the procedures provided for in this General Treaty or which, further to this Treaty, may be established in the future. To this end, a High-level Commission chaired by the Minister for Foreign Affairs of Uruguay and the Minister for Foreign Affairs of Spain shall be established and shall be the vehicle for laying the groundwork for the strengthening of bilateral ties in the above-mentioned areas.

Article 2

The High-level Commission, which shall operate through the Ministry of Foreign Affairs of Uruguay and the Ministry of Foreign Affairs of Spain, shall be the organ responsible for the coordination, follow-up and evaluation of this General Treaty, without prejudice to the organs and mechanisms already created under specific Agreements, and shall hold meetings for purposes of consultation and review.

The appointment of the members of the respective delegations, the dates of meetings and the programme of work shall be determined through the diplomatic channel.

CHAPTER I. POLITICAL COOPERATION

Article 3

In the area of political cooperation, the Parties agree to:

(a) Increase the number of reciprocal visits and contacts between their respective Heads of State, Heads of Government and Ministers in order to strengthen political dialogue between the two Parties;

(b) Maintain regular high-level political consultations on the positions and activities of the Parties at the international level. To that end, they shall encourage meetings between officials responsible for foreign affairs through bilateral mechanisms and in the various regional and multilateral forums.

Article 4

The Parties shall institute a system of high-level political consultations through a Political Commission, which shall examine bilateral and international issues of mutual interest.

The Political Commission shall act as the Permanent Secretariat of the Treaty, shall conduct the necessary consultations and shall coordinate the follow-up, analysis and evaluation of this General Treaty.

The Political Commission shall prepare reports for the High-level Commission containing the conclusions reached at its meetings and in the meetings of other bodies.

CHAPTER II. ECONOMIC AND FINANCIAL COOPERATION

Article 5

In the area of economic cooperation, the Parties agree to establish a Global Programme of Economic and Financial Cooperation, of five years' duration, the details of which are contained in the corresponding Economic Agreement and which constitutes an integral part of this Treaty.

Article 6

The Global Programme of Economic and Financial Cooperation seeks to:

Promote the joint development of Spain and Uruguay, with the general aim of establishing mechanisms that help to stimulate and modernize both economies and expand economic and financial cooperation between the two Parties without prejudice to their international commitments;

Foster the development of the production and services sectors in Uruguay and Spain and the involvement of the business sector of each country in the development of the other. To that end, active participation through the formation of partnerships, joint ventures and other forms of association between Spanish and Uruguayan companies shall be encouraged, based on the principle of complementarity.

Execute investment and joint investment projects that enable the two Parties to develop new and priority activities aimed at equipping Spanish and Uruguayan industries with advanced technology and making them competitive internationally.

Article 7

In order to achieve these objectives, the Programme proposes to:

Establish a favourable and stable institutional framework that enables the economic agents of the two countries to develop and plan their medium-term and long-term activities;

Make sufficient financial resources available for economic cooperation;

Engage in appropriate and sustained publicity about the opportunities and potential for economic cooperation between Uruguay and Spain.

Article 8

An Economic and Financial Commission shall be established to monitor the implementation of the objectives and activities provided for in the Agreement. The rules governing the membership and functions of the Commission shall be established in the Agreement.

CHAPTER III. TECHNICAL, SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Article 9

The two Parties affirm that cooperation in the technical, scientific and technological fields is essential to the strengthening of their relations and that it contributes significantly to the joint and self-sustaining development of the two countries. They therefore agree to:

(a) Encourage and develop cooperation with each other and jointly with the European Community and within the framework of other multilateral bodies. To that end, they shall establish cooperation projects in areas of mutual interest;

(b) Promote institutional development, modernization of the productive and service sectors and improvement of the quality of life of the population, linking these actions as far as possible with cooperation in the economic and financial fields.

(c) Include in the various sectors of such cooperation the exchange of experiences and professionals, consultancy services and mutual technical assistance, human resources, training, joint scientific research projects, technological development and innovation and technology transfers.

Article 10

Without prejudice to extending their cooperation into other fields, the Parties affirm their interest in collaborating in all of the following areas:

(a) Cooperation for modernization of the State;

(b) Cooperation in scientific research, technological development and innovation;

(c) Cooperation in the sphere of natural resources, preservation of the environment and development of the agricultural, forestry and fisheries sectors;

(d) Cooperation in the development of the tourism sector;

(e) Cooperation to promote the modernization of the business sector;

(f) Cooperation in the study and design of social development programmes, with special emphasis on the most disadvantaged sectors of the population;

(g) Cooperation in the development of the industrial sector through the establishment of mechanisms for retrofitting existing industrial plants and creating new industries.

CHAPTER IV. EDUCATIONAL AND CULTURAL COOPERATION

Article 11

Both Parties agree to emphasize the following fields, without prejudice to any others, as priority areas for cooperation:

The study, defence and propagation of the Spanish language as their principal common cultural heritage;

Academic exchanges between representatives of the respective universities, research institutions and other organizations and centres;

The establishment of an effective system of equivalents for academic studies aimed at recognizing the academic degrees and diplomas obtained in both countries;

The granting of scholarships and research assistance in accordance with the priorities established;

The encouragement of all activities that contribute to greater familiarity with the respective cultures, histories, customs and principal intellectual and artistic activities;

As far as possible, cooperation in and coordination of activities in international organizations competent in this field of which both countries are members;

Support for publications, compiling of bibliographical material and promotion of co-publication and joint venture publication agreements which publicize, on a reciprocal basis, the respective literary and scientific achievements of the two countries;

Conservation, protection and restoration of the historical and artistic heritage of interest to the two countries;

Commemoration of events and traditions of mutual interest, especially those related to the Quincentenary of the Discovery/Encounter between Two Worlds.

Article 12

In order to ensure the implementation of these priority areas or of others which may be decided upon in the future, such expert meetings as may be necessary will be held under the aegis of the Technical, Scientific and Technological Commission.

CHAPTER V. CONSULAR COOPERATION

Article 13

The Parties agree to establish closer cooperation between their respective consular services.

To this end, in those countries in which there is no consular office of one of the Parties, nationals of that Party may apply to the consular office of the other Party for assistance; the assistance shall be granted in accordance with the provisions of the Vienna Convention on Consular Relations,¹ provided that the legislation and the

local authorities so permit. The Parties shall agree on the regulations governing the provision of such assistance.

Article 14

Subject to its legislation and in conformity with international law, each Party shall grant to the nationals of the other Party the facilities necessary to engage in gainful employment or professional activities on their own account or on behalf of a third party under the same conditions as those enjoyed by the nationals of the State of residence or of employment. The issuance of the work permits for accepting employment or engaging in professional activities on behalf of a third party shall be without charge.

The authorities in each country shall ensure, on a reciprocal basis, the effective enjoyment of the above-mentioned facilities.

Article 15

Spanish and Uruguayan nationals may vote in the municipal elections of the State in which they are resident and of which they are not nationals, subject to the provisions of the legislation of that State.

To that end, the two Parties shall establish a complementary agreement for the exercise of the above-mentioned right to vote.

Article 16

The two Parties undertake to consider broadening the scope of all bilateral agreements already in force in the fields of legal and consular cooperation, social security and harmonization of their respective legal systems.

FINAL PROVISIONS

Article 17

The two Parties shall adopt such administrative and budgetary measures as are required in order to fulfil the commitments entered into in this Treaty.

Article 18

Without prejudice to the provisions of this Treaty, the Parties agree that any agreements previously entered into shall remain in full force insofar as they are not incompatible with this Treaty.

Cooperation programmes and projects shall, where applicable, be implemented in accordance with the provisions of this General Treaty and the aforementioned agreements.

Article 19

This General Treaty shall enter into force thirty days after the date on which the two Parties notify each other through the diplomatic channel that the formalities required under their respective domestic legislation have been completed, and it shall remain in force indefinitely unless one of the Parties notifies the other, at least six months in advance of its intention to the contrary.

¹United Nations, *Treaty Series*, vol. 596, p. 261.

In the event that the Treaty is denounced, the two Parties shall jointly undertake prior to such denunciation an evaluation of ongoing projects and activities in order to determine by common agreement those which should be carried through to completion.

IN WITNESS WHEREOF, this General Treaty is signed in two original copies in the Spanish language, both equally authentic, at Madrid, on 23 July 1992.

For the Kingdom of Spain:

FELIPE GONZÁLEZ MÁRQUEZ
Head of Government

For the Eastern Republic
of Uruguay:

LUIS ALBERTO LACALLE
President of the Republic

ANNEX TO THE GENERAL TREATY OF COOPERATION AND FRIENDSHIP BETWEEN THE KINGDOM OF SPAIN AND THE EASTERN REPUBLIC OF URUGUAY IN THE AREA OF TECHNICAL, SCIENTIFIC AND TECHNOLOGICAL COOPERATION

1. The Basic Agreement on Scientific and Technological Cooperation between the Government of Spain and the Government of the Eastern Republic of Uruguay, signed on 29 November 1974,¹ and the General Agreement on Cooperation Supplementary to the Basic Agreement, signed on 4 November 1987,² have so far constituted the basis of fruitful cooperation in this area.

2. The signing on 23 July 1992 of the General Treaty of Cooperation and Friendship between the Kingdom of Spain and the Eastern Republic of Uruguay provides a new framework for the coordination and strengthening of mutually beneficial technical, scientific and technological cooperation conducive to the economic and social development of the two countries.

3. In the light of Spain's economic and international cooperation priorities and the priorities established by the Government of Uruguay for the Programme of Technical Cooperation with Spain (1991-1994), a number of areas have been identified for joint action over the next three years under the relevant chapter of the General Treaty of Cooperation and Friendship.

4. The present Annex to the General Treaty of Cooperation and Friendship has been prepared with a view to translating the content and structure of these sectors into specific cooperation programmes and projects and joint cooperation activities.

5. Without prejudice to the extension of cooperation to other sectors, the two Parties agree to:

(A) Expand the ongoing activities in the area of State modernization in the organizations and institutions of the two countries, with special reference to the modernization of the National Statistical Service, through technical assistance and training programmes for Uruguayan technical personnel. Also necessary are the decentralization, modernization and strengthening of municipal management, particularly those activities aimed at developing the capacity of municipal administrations, through the training of their administrative and technical personnel and restructuring aimed at meeting current external requirements in the areas of economic and financial management and the strengthening of project units, administrative management and municipal services.

(B) Strengthen cooperation in the field of science and technology, especially activities relating to research, technological development and innovation, with emphasis on those which contribute to the institutional strengthening of the National Council for Scientific and Technological Research (CONICYT), through technical assistance aimed at the successful implementation of selected projects in the field of science and technology, the exchange of experiences for the development of joint scientific research and training activities, as well as the elaboration of a programme of internships and fellowships for Uruguayan scientists, technical personnel and administrators of research and development programmes in the institutions and agencies that comprise the science and technology systems of the two countries.

(C) Collaborate in the strengthening of cooperation programmes in the field of natural resources for the preservation of the environment and the development of the agricultural, forestry and fisheries sectors.

To this end, activities shall be aimed mainly at management of natural resources and land-use planning for their proper management, taking advantage of the experience of Spain in the conservation and management of natural areas.

¹ United Nations, *Treaty Series*, vol. 1028, p. 305.

² *Ibid.*, vol. 1637, No. I-28154.

(D) Promote cooperation in the field of industry, aimed mainly at retrofitting industries and creating new ones, the transfer of technology, technical assistance and training, by promoting the exchange of experience and the establishment of joint ventures.

(E) Cooperation in the development of tourism through technical assistance in the elaboration of tourism plans and programmes and the training of technical and management personnel in modern techniques of administration, management and promotion of the tourism sector.

(F) Increase cooperation among entrepreneurs to promote the modernization of small and medium-sized industries as a key factor in economic growth and job creation.

These actions are intended mainly to support the strengthening of small businesses and the modernization of the entrepreneurial network at the level of small and medium-sized businesses by providing training and technical and financial assistance with a view to establishing revolving funds offering lines of credit to small business.

(G) Support will be given for studies and social development programmes giving special emphasis to the most disadvantaged sectors of the population.

6. Governmental and non-governmental non-reimbursable cooperation mechanisms shall be established for implementing activities in those areas.

7. The two countries shall promote joint participation in multilateral cooperation programmes and in programmes that fall within the scope of cooperation activities to mark the Quincentenary of the Discovery/Encounter between Two Worlds.

8. In order to ensure the implementation of these priority areas of activity or of others which may be decided upon at a later stage, a Joint Programming Commission shall be established and shall meet at least once every two years to decide on the programmes and projects on which the two countries would cooperate during that period.

The Committee on Follow-up and Evaluation provided for in the General Agreement on Cooperation Supplementary to the Basic Agreement on Scientific Cooperation of 4 November 1987, signed between the two countries, shall meet at least twice a year.

ECONOMIC AGREEMENT BETWEEN THE KINGDOM OF SPAIN AND
THE EASTERN REPUBLIC OF URUGUAY FORMING PART OF THE
GENERAL TREATY OF COOPERATION AND FRIENDSHIP BETWEEN
SPAIN AND URUGUAY

The Kingdom of Spain and the Eastern Republic of Uruguay, hereinafter referred to as the Parties,

Considering:

That the economic growth of their countries will foster political and social stability, the strengthening of democratic institutions and the attainment of higher levels of development;

That the General Treaty of Cooperation and Friendship between the Kingdom of Spain and the Eastern Republic of Uruguay expresses the desire of both Governments for stronger and closer relations between the two countries and their peoples;

That both States aspire, within the framework of the Treaty, to establish a new bilateral relationship, without prejudice to the international commitments entered into by each of them;

That both States wish to consolidate this relationship by giving it fresh impetus as part of a new kind of cooperation involving jointly undertaken economic projects;

That the fact of belonging to the European Economic Community, in the case of Spain, and to the Southern Cone Common Market and the Latin American Integration Association, in the case of Uruguay, shows the desire of both countries to strengthen regional integration structures that are likely to contribute in a positive way to the strengthening of the ties of cooperation between the respective regions and to foster the creation of a more equitable international order;

That the Quincentenary of the Discovery of America/Encounter between Two Worlds constitutes an event of great significance for both countries which should serve as an incentive for the deepening of bilateral economic relations and the relations between the peoples of the two nations.

Have agreed as follows:

Article 1

The Parties shall formulate and implement a cooperation programme for the purpose of establishing mechanisms to help stimulate and modernize the economy of the Eastern Republic of Uruguay and expand economic and financial cooperation between the two countries, without prejudice to the international commitments entered into by each of them.

The objective of this Programme is to mobilize resources to Uruguay amounting to approximately US\$ 300 million over a period of five years.

To this end, the Parties shall, *inter alia*, take steps to encourage the development of the productive and service sectors in Uruguay and the participation of Spanish business in such development, by promoting partnerships between Spanish and Uruguayan enterprises.

The Parties shall also encourage investment and joint-venture projects which will enable the two countries to develop priority activities designed to raise the

technological level of Spanish and Uruguayan industries and make them internationally competitive.

Article 2

In order to achieve the aforementioned objectives, the Parties believe it necessary to establish a favourable institutional framework, provide sufficient financial resources and promote and publicize in an appropriate manner the benefits and opportunities envisaged in this Agreement.

With the aim of establishing a juridical framework to promote the development of economic and business relations between the two countries, the two Parties have signed the Agreement on the reciprocal promotion and protection of investments on 7 April 1992¹ and shall consider the possibility of negotiating specific agreements in areas of mutual interest. To that end, they express their desire to proceed to the signing of an agreement on the avoidance of double taxation on income and inheritance.

Article 3

Spain shall provide up to US\$ 200 million in loans for the period 1992-1996 to fund exports of Spanish goods and services to Uruguay.

Projects shall be funded through commercial credits under conditions agreed upon by consensus in OECD. The specific terms of each loan shall be determined in the light of the requirements of each project and shall be guaranteed by the Spanish Export Credit Insurance Company (CESCE). Loans shall be granted preferably for private sector projects which improve technology, increase export capacity and generate foreign exchange.

The Spanish Party affirms its willingness to give consideration to matching the financial terms offered by third countries for the provision to Uruguay of supplies which are considered to be of special interest to that country and in which Spanish companies are involved.

Article 4

The Parties shall encourage investments of capital, in accordance with their respective legislation, and establish an overall target for investment of approximately US\$ 100 million.

With a view to mobilizing investment and co-investment by public and private Spanish and Uruguayan enterprises, the two Governments shall promote and encourage such undertakings through the institutions and in the manner specified below:

1. The Spanish Institute of Foreign Trade (ICEX) and the Office of Planning and Budget of the Presidency of the Republic of Uruguay shall promote direct investment in and shall publicize potential investment projects.

2. The Spanish Development Finance Company (COFIDES) shall encourage Spanish investment and co-investment by Spanish and Uruguayan companies aimed, preferably, at the export of Uruguayan goods and services. To that end, it may provide financial support for starting up such undertakings, and for endorse-

¹ United Nations, *Treaty Series*, vol. 1785, No. I-31039.

ments and guarantees and, where appropriate, shall provide risk capital, although it shall always be temporary in nature and constitute a minority share.

3. The Spanish Export Credit Insurance Company (CESCE) shall insure the investments made by Spanish individuals or bodies corporate in Uruguay in accordance with the legislation in force.

Article 5

The Parties shall support joint activities for publicizing, identifying and promoting investment opportunities through existing institutions in the two countries, and shall attach special importance to events that are likely to promote cooperation, such as fairs, specialized exhibitions and symposiums.

Article 6

In order to expand economic relations and to realize the objectives of this Agreement, the Parties shall take measures to promote trade which they consider appropriate with a view to increasing the volume of trade between the two countries. The two Parties undertake not to enact measures to restrict or distort trade which are incompatible with the norms and principles of the General Agreement on Tariffs and Trade¹ for both countries, and of the European Economic Community, in the case of Spain.

Article 7

With a view to promoting industrial and economic cooperation, the two Parties shall pay special attention to the specific problems of small and medium-sized businesses.

Article 8

The two Parties undertake to promote the establishment of joint ventures, using as a basis the instruments provided for in their respective legislations.

Article 9

The two Parties shall strengthen their ties in the field of air and maritime cooperation, both at the institutional level and by promoting contacts between companies operating in those sectors in both countries through assistance or collaboration agreements.

Article 10

With the aim of effectively monitoring the implementation of this Agreement and ensuring the success of the commitments entered into, an Economic and Financial Commission shall be established, chaired by the Secretary of State for Trade on the Spanish side, and, on the Uruguayan side, by the Director of the Office of Planning and Budget of the Presidency of the Republic.

The Economic and Financial Commission shall carry out, *inter alia*, the following functions:

(a) Determine priority sectors and the specific projects to be promoted and supported;

¹United Nations, *Treaty Series*, vol. 55, p. 187.

(b) Conduct an ongoing campaign to promote investment and joint ventures with the participation of both Government agencies and the public and private sectors;

(c) Consider and recommend mechanisms and resources capable of promoting greater cooperation and contacts between enterprises of the two countries in order to channel their relationship towards the achievement of the long-term economic objectives of the Parties to the Agreement;

(d) Consider and propose concerted actions in third countries for the joint implementation of projects between enterprises and economic agents of Spain and Uruguay, including opportunities for co-financing;

(e) Consider the development of those areas of cooperation in which it is considered necessary to expand and intensify relations;

(f) Consider other forms of cooperation on which the Parties may agree;

(g) Submit an annual report to the Binational Commission on the progress achieved within the framework of this Agreement.

If necessary, the Economic and Financial Commission may establish working groups to deal with outstanding issues and/or to consider specific actions or proposals determined by the Commission.

The Economic and Financial Commission shall meet once a year, alternately in Spain and Uruguay, or at the request of one of the Parties, when deemed appropriate.

Article 11

This Agreement shall be valid for five years and shall enter into force on the same date as the General Treaty of Cooperation and Friendship, of which it is an integral part. At least six months prior to its expiration, the two Parties shall meet with a view to the conclusion of a new agreement.

IN WITNESS WHEREOF, this Agreement is signed, in two originals in the Spanish language, both texts being equally authentic.

DONE at Madrid, on 23 July 1992.

For the Kingdom of Spain:

FELIPE GONZÁLEZ MÁRQUEZ
Head of Government

For the Eastern Republic
of Uruguay:

LUIS ALBERTO LACALLE
President of the Republic