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**SPAIN
and
BRAZIL**

General Treaty of cooperation and friendship (with annexed economic agreement). Signed at Madrid on 23 July 1992

Authentic texts: Spanish and Portuguese.

Registered by Spain on 23 August 1994.

**ESPAGNE
et
BRÉSIL**

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

Textes authentiques : espagnol et portugais.

Enregistré par l'Espagne le 23 août 1994.

[TRANSLATION — TRADUCTION]

GENERAL TREATY¹ OF COOPERATION AND FRIENDSHIP BETWEEN THE KINGDOM OF SPAIN AND THE FEDERATIVE REPUBLIC OF BRAZIL

The Kingdom of Spain and the Federative Republic of Brazil (hereinafter referred to as the Parties),

Considering the excellent relations existing between the two countries, which are the result of the traditional bonds of friendship which unite them and of the cultural identity of their peoples,

Motivated by a desire, in a cooperation instrument, to formalize their mutual interest in strengthening those relations at all levels and extending them into the future,

Highlighting their common position on transcendent international principles such as the self-determination of peoples, non-interference in the internal affairs of States, the peaceful settlement of disputes, the renunciation of the use of force, the equality of States before the law, the primacy of international law and international cooperation for development, as well as the need, by all available means, to take more forceful action to strengthen international peace and security,

Convinced that a stable, open and consolidated democracy is the only political regime that fully addresses the ethical, social and cultural aspirations of peoples and provides a vehicle for the expression of their desires and concerns,

Reaffirming their commitment to defending and fostering the principles contained in the Universal Declaration of Human Rights and other international human rights instruments,

Convinced that economic and social development is not only an inalienable right, but a prerequisite for progress and for strengthening democratic institutions and fundamental rights and freedoms, in order to improve standards of living and preserve international peace,

Wishing to modernize their production, trade and service sectors as a matter of urgency in a competitive and interrelated world,

Aware of the seriousness of the problem of external debt, which demands an equitable solution that will ensure the economic and social recovery and development of the countries affected,

Believing that it is necessary to join forces at the international level to fight terrorism and drug trafficking,

Taking into account the need to promote joint initiatives in the various international forums designed to strengthen the protection and defence of the environment, in accordance with the guidelines issued by the 1992 United Nations Conference on Environment and Development,

Convinced that Spain, as a member country of the European Community, and Brazil, as a member country of the Southern Cone Common Market, the Latin

¹ Came into force on 6 July 1994, i.e., 30 days after the date on which the Parties had informed each other (on 5 May and 6 June 1994) of the completion of their internal procedures, in accordance with article 17.

American Integration Association and the Rio Group, must direct their efforts in the various regional forums, towards strengthening relations of all kinds between Europe and Latin America,

Agreeing on the need to promote regional integration processes, which will strengthen development and interrelationships among peoples,

Recognizing that the Quincentenary of the Discovery/Encounter Between Two Worlds offers a historic opportunity to intensify cooperation in all sectors in the Ibero-American context, through the Summits of Heads of State and Government, which are to succeed the one held in Guadalajara by Summits in Spain in 1992 and in Brazil in 1993,

Stressing the need for a supplementary general treaty which covers the provisions of specific agreements which are 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 Brazil and Spain signed in Madrid on 17 May 1991,

Have agreed as follows:

PRELIMINARY PROVISIONS

AREAS OF COOPERATION

Article 1

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

Article 2

The High-level Commission, which shall operate through the Ministry of Foreign Affairs of Brazil and the Ministry of Foreign Affairs of Spain, shall be the body responsible for the follow-up and evaluation of this General Treaty, without prejudice to the bodies and mechanisms already established under specific agreements, and shall hold meetings for purposes of consultation and analysis.

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) Hold regular high-level political consultations on the positions and actions 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

(a) The parties shall institute a system of high-level political consultations through a Political Commission of the High-level Commission.

(b) The Political Commission shall act as the Permanent Secretariat of the Treaty and shall meet at least once a year, alternately in Brasília and Madrid. It shall be chaired, on the Brazilian side, by the head of the Europe Department of the Ministry of Foreign Affairs, and, on the Spanish side, by the person appointed by the Minister for Foreign Affairs of Spain. It shall hold consultations as necessary; and shall coordinate the follow-up, analysis and evaluation of this General Treaty.

(c) The Political Commission shall analyse bilateral and international matters of mutual interest.

(d) The Political Commission shall prepare semi-annual reports for the High-level Commission on the conclusions reached at its meetings and at 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 Cooperation, of five years' duration, which is described in the corresponding Economic Agreement and which forms an integral part of this Treaty.

Article 6

The Global Programme of Cooperation seeks to:

- Promote the joint development of Spain and Brazil, with the general aim of establishing mechanisms to help stimulate and modernize both economies and to expand economic and financial cooperation between the two Parties without prejudice to their international commitments;
- Foster the development of the production and service sectors in Brazil and Spain and the involvement of the business sector of each country in the development of the other. To that end, active participation shall be encouraged through the promotion of partnerships between Spanish and Brazilian companies, based on the principle of complementarity;
- Execute investment and joint-venture projects that enable the two Parties to develop new and priority activities aimed at equipping Spanish and Brazilian industries with advanced technology and making them internationally competitive.

Article 7

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 Brazil and Spain.

Article 8

An Economic and Financial Subcommission 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 Subcommission shall be established in the Agreement.

CHAPTER III. TECHNICAL, SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Article 9

In the area of technical, scientific and technological cooperation, the Parties agree to:

(a) Encourage and develop such cooperation with each other and jointly with the European Community and within the framework of other multilateral bodies. To that end, they shall establish specific programmes and projects in areas of mutual interest, which may include joint activities in third countries;

(b) Establish cooperation programmes and projects aimed at promoting institutional development, modernization of the production system and improvement of the population's quality of life, linking these actions, to the extent possible, with cooperation in economic and financial matters;

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

Article 10

Without prejudice to other efforts, the Parties shall promote bilateral cooperation in the following areas:

(a) Agribusiness (including the fishing sector), biotechnology, energy conservation, forestry, informatics and telecommunications, mining, new materials, transport and industrial development;

(b) Promotion of relations among companies, including the establishment of joint ventures and transfers of technology between the Parties;

(c) The service sectors, with special emphasis on tourism, urban services and health care;

(d) Natural resources and environmental quality in the context of the resolutions and recommendations of the 1992 United Nations Conference on Environment and Development;

(e) Scientific research, technological development and innovation, including joint participation in the "Science and Technology for Development Programme for the Quincentenary" (CYTED-D) as a multilateral programme involving the Ibero-American countries;