

No. 32184

**SPAIN
and
COLOMBIA**

General Treaty on cooperation and friendship (with protocol on technical, scientific and technological cooperation; protocol on educational and cultural cooperation; and economic agreement). Signed at Madrid on 29 October 1992

Authentic text: Spanish.

Registered by Spain on 5 October 1995.

**ESPAGNE
et
COLOMBIE**

Traité général de coopération et d'amitié (avec protocole de coopération technique, scientifique et technologique; protocole de coopération dans les domaines de l'éducation et de la culture; et accord économique). Signé à Madrid le 29 octobre 1992

Texte authentique : espagnol.

Enregistré par l'Espagne le 5 octobre 1995.

[TRANSLATION — TRADUCTION]

GENERAL TREATY¹ OF COOPERATION AND FRIENDSHIP BETWEEN THE KINGDOM OF SPAIN AND THE REPUBLIC OF COLOMBIA

The Kingdom of Spain and the Republic of Colombia, hereinafter, 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;

Recognizing that the commemoration of the Quincentenary/Encounter between Two Worlds offers a favourable opportunity to impart a new dimension to bilateral relations in the light of the situation in the world in the last decade of the twentieth century, which will undoubtedly be regarded as one of the most important landmarks in international relations;

Convinced of the historic opportunity represented by the Ibero-American Community of Nations as a projection of the future in the new international context;

Noting their full agreement with essential aspects of the principles of international law such as self-determination of the 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 cooperation for development, as well as the fulfilment, in good faith, of international treaties;

Reaffirming their conviction that the full operation of the rule of law is possible only under socio-political and economic conditions which are consistent with respect for human rights, the strengthening of participatory democracy, observance of the principle of legality, within the framework in respect for popular sovereignty, and economic and social development;

Aware that friendly relations must be translated into a strengthening of cooperation in all fields;

Deeming it necessary to unite efforts at the international level to combat terrorism and drug trafficking;

Reaffirming the need to carry out joint efforts with a view to achieving better protection and defence of the environment, without prejudice to the right to the rational exploitation of natural resources;

Considering the values which they hold in common and their shared historical origins; and

Wishing to promote mutual knowledge of their cultures, protection of the historical heritage of the two nations, and educational exchanges through cooperation programmes which enable them to share experience, bibliographical sources, and facilities for the education and training of human resources;

¹ Came into force on 31 July 1995, i.e., the last day of the month following the date of the exchange of the instruments of ratification, which took place at Santafé de Bogotá, in accordance with article 17.

Have agreed as follows:

PRELIMINARY PROVISIONS

Article 1

The Parties undertake to strengthen their bilateral cooperation, especially in the political, economic and commercial, scientific and technological, educational and cultural, and legal and consular spheres, through the modalities envisaged in this General Treaty and those established pursuant thereto in the future.

Article 2

The Parties decide to establish a High-Level Commission which, presided over by the Minister for Foreign Affairs of Colombia and the Minister for Foreign Affairs of Spain, shall serve as the channel for the strengthening of bilateral relations in the spheres specified.

The High-Level Commission, which shall be administered through the Ministry of Foreign Affairs of Colombia and the Ministry of Foreign Affairs of Spain, shall be the body responsible for the coordination, monitoring and evaluation of this General Treaty.

The composition of the respective delegations, and the dates of the meetings, shall be communicated through the diplomatic channel.

CHAPTER I. POLITICAL COOPERATION

Article 3

The Parties decide to strengthen political cooperation through the following measures:

(a) Intensifying reciprocal visits between their Heads of State and Government and Ministers with a view to strengthening the political dialogue between the two Parties;

(b) Organizing regular high-level political consultations in order to exchange information, opinions and positions on international issues and strive to harmonize their respective foreign policies at the bilateral and multilateral levels when there are common purposes;

(c) Supporting the organization of Ibero-American summits and following up on the agreements reached within this framework;

(d) Increasing the use of the mutual diplomatic support mechanisms which exist between Colombia and Spain.

Article 4

The Parties shall establish a Political Commission, through the Ministry of Foreign Affairs of Colombia and the Ministry of Foreign Affairs of Spain and the Embassy of each country in the territory of the other country, which shall serve as the Permanent Secretariat of this Treaty. Its work shall consist of carrying out timely monitoring of the Treaty and presenting to the High-Level Commission the conclusions and proposals formulated at its meetings and in the meetings of other bodies.

CHAPTER II. ECONOMIC AND FINANCIAL COOPERATION

Article 5

In the sphere of economic cooperation, the Parties agree to:

(a) Encourage the expansion and diversification of economic and financial relations between the Kingdom of Spain and the Republic of Colombia and between their agents in the public and private sectors;

(b) Implement specific investment and joint investment projects by supporting the establishment of joint Spanish-Colombian enterprises and promoting contacts between enterprises through public and private bodies and institutions in the two countries;

(c) Establish the mechanisms they deem appropriate to promote the strengthening of their economic relations, while respecting the international commitments undertaken by each Party.

Article 6

The two Parties agree that, in order to promote their bilateral economic relations, it is necessary to:

(a) Consolidate and maintain an institutional framework which is favourable to the activities of the economic agents of the two countries;

(b) Implement a joint programme of economic and financial cooperation to promote the development of the productive sectors in Colombia, and encourage the Spanish business community to participate in that development;

(c) Provide adequate financial resources for Spanish-Colombian economic cooperation in order to achieve the objectives of mutual economic and social development;

(d) Ensure that opportunities for cooperation between the two countries are properly promoted and publicized on an ongoing basis.

Article 7

The economic cooperation envisaged by the two Parties shall be carried out in accordance with the Economic Agreement annexed to this Treaty, which forms an integral part thereof.

Article 8

With the aim of fostering economic relations and achieving the objectives of this Treaty, the Spanish and Colombian Governments agree that the products of each country should have access to the market of the other Party on the most flexible terms possible consistent with the legislation of each country.

Article 9

Within the framework of their respective legal systems, each Party shall encourage investments of the other Party within its territory.

The Parties undertake to negotiate agreements on reciprocal investment guarantees and the avoidance of double taxation.

CHAPTER III. TECHNICAL, SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Article 10

In the sphere of technical, scientific and technological cooperation, the Parties agree, within the existing legal framework, to:

(a) Encourage and develop such cooperation, and to that end to establish specific programmes and projects in areas of mutual interest in order to promote institutional development, technological and industrial modernization, support to the most disadvantaged social sectors, the rational use of natural resources, and protection of the environment;

(b) Link activities undertaken in this sphere with those undertaken in the economic and financial spheres, in order to achieve national economic and social development objectives with a view to integrated, stable and lasting cooperation;

(c) Encourage and develop the existing cooperation between the two countries and promote joint projects with the European Community and other multilateral bodies, and, to that end, establish specific programmes and projects in areas of mutual interest, without prejudice to the international commitments of each of the two countries.

CHAPTER IV. EDUCATIONAL AND CULTURAL COOPERATION

Article 11

In the sphere of educational and cultural cooperation, the Parties, in accordance with the agreements in force between the two countries and with their respective domestic legislation, agree to:

(a) Encourage and develop such cooperation, and to that end to establish specific programmes and projects in areas of mutual interest in the spheres of education, art and culture;

(b) Promote exchanges between institutions, professionals and specialists in education and in the art and culture of the two countries, as a means of developing their common historical and cultural heritage;

(c) Facilitate the involvement of bodies and athletes of both countries in activities which strengthen the friendship between their nationals.

CHAPTER V. CONSULAR COOPERATION

Article 12

Subject to their domestic legislation and in accordance with international law, each Party shall grant nationals of the other Party facilities for carrying out business, labour or professional activities, on their own account or on behalf of third parties, on an equal footing with nationals of the State of residence, provided that they have been granted the visas and residence or work permits, as applicable, which are required for the exercise of such activities. Work permits for business, labour or professional activities on behalf of third parties shall be issued free of charge.

The respective authorities shall ensure effective enjoyment of the facilities mentioned, on the basis of the principle of reciprocity.