

No. 41698

**Spain
and
Philippines**

General Friendship and Cooperation Treaty between the Republic of the Philippines and the Kingdom of Spain. Manila, 30 June 2000

Entry into force: *30 April 2001 by notification, in accordance with article 12*

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**Espagne
et
Philippines**

Traité général d'amitié et de coopération entre la République des Philippines et le Royaume d'Espagne. Manille, 30 juin 2000

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[ENGLISH TEXT – TEXTE ANGLAIS]

GENERAL FRIENDSHIP AND COOPERATION TREATY BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE KINGDOM OF SPAIN

PREAMBLE

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

Considering the close historic and cultural ties between their peoples, which are evinced in their shared history and common past;

Acknowledging that 1998, the Centenary of the Proclamation of Philippine Independence, constituted a historic opportunity for mutual reflection and for the further advancement of relations between the High Contracting Parties;

Determined to translate these feelings of friendship into cooperation instruments in order to strengthen their relation;

Reaffirming their commitment to respect and uphold the purposes and principles enshrined in the Charter of the United Nations;

Reaffirming also the Declaration on Political Cooperation between the Republic of the Philippines and the Kingdom of Spain of 3 April 1995;

Convinced of the importance of the ongoing processes of greater political, economic and social interaction between the two countries;

Affirming the importance of promoting economic development as one of the essential conditions for establishing, maintaining and strengthening true systems of democratic freedoms in a framework of progress and social justice;

Underlining both countries' consensus and political commitment at the highest level on environment protection, while paying special attention to their economic policies relevant to sustained economic growth and sustainable development;

Resolved to prevent any manifestation of violence, intolerance, racism or xenophobia;

Seeking to complement and, where deemed opportune, update the content of previous specific Agreements, Treaties and Protocols between the two High Contracting Parties by means of this General Treaty, which should serve as an agile, open and dynamic framework for the future conclusion of different Bilateral Agreements;

Have agreed to the following:

GENERAL PRINCIPLES

1. Respect for international law

The High Contracting Parties undertake to fulfill in good faith the obligations they have contracted according to international law, both those emanating from generally recognized principles and regulations of International Law, and those deriving from treaties or other agreements to which they are party.

2. Sovereign equality

The High Contracting Parties shall respect each other's sovereign equality and individuality, in addition to all the rights inherent to, and contained in, the other's sovereignty, including, particularly, the right to legal equality, territorial integrity, liberty and political independence and non-intervention in the other Party's internal affairs. They shall likewise respect the right of each Party to choose and freely develop its own political, social, economic and cultural system.

3. Abstention from resorting to threat or use of force

In their mutual relations the High Contracting Parties shall abstain from resorting to threat or use of force against the other Party's territorial integrity or political independence, or any other means that is incompatible with United Nations purposes and principles. No consideration may be cited as justifying such means.

4. Peaceful settlement of controversies

In a spirit appropriate to the motivations which have led to the conclusion of this General Friendship and Cooperation Treaty, the High Contracting Parties shall settle any controversy that may arise between them using exclusively peaceful means, endeavoring to find just and fair solutions so as not to jeopardize international peace and security.

5. Development cooperation

The High Contracting Parties shall endeavor to develop their mutual potential to the full in order to achieve a high, effective, egalitarian and mutually beneficial degree of cooperation. In this connection, they shall strive to enhance the level of their economic and social development and establish a climate of economic and financial solidarity that benefits from the positive complementary aspects of their respective economies, thereby enabling their peoples to attain a higher level of development and prosperity in the economic, scientific, technological, environmental, social, cultural and human fields.

6. Respect for human rights and the fundamental freedoms of people

The High Contracting Parties shall respect human rights and fundamental freedoms, including freedom of thought, conscience, religion or creed, without discriminating on the grounds of race, gender, religion or language.

In this regard, they shall promote the effective exercise of civil, political, economic, social and cultural rights and freedoms, all of which derive from the dignity inherent in human beings and are essential to their free and full development.

Consequently, both Parties reaffirm their commitment to respect the Charter of the United Nations, the Universal Declaration of Human Rights and the International Agreements, Pacts, Conventions and Declarations on this matter by which they may be bound.

7. Dialogue and coexistence of cultures and civilisations

The High Contracting Parties shall promote all actions designed to enhance their common cultural values, drawing on their traditional historic and human ties. They shall find in the principles of tolerance, coexistence and mutual respect the guide that enables them to enrich their common heritage. In this connection, the Parties shall strive to promote ever greater and deeper mutual knowledge, and to develop fuller understanding between their citizens and their respective social groupings.

Both Parties declare themselves determined to uphold and respect these principles in a spirit of mutual trust, in order to enhance cooperation or shared interests.

CHAPTER I. AREAS OF BILATERAL COOPERATION

Article 1

The High Contracting Parties agree to strengthen their bilateral cooperation in the political, economic and financial, development, scientific and technical, cultural and educational, and legal-consular spheres using the means provided for in this General Treaty, and any future means of a sectoral or specific nature established by virtue thereof.

Article 2

For this purpose, a Philippine-Spanish High-Level Committee shall be set up. This Committee will be presided over jointly by the Philippine Secretary of Foreign Affairs and the Spanish Minister of Foreign Affairs, and will act as a channel for establishing the bases for the strengthening of bilateral relations in all the aforementioned spheres.

The High-Level Committee, through the Philippine Department of Foreign Affairs and the Spanish Ministry of Foreign Affairs, will be the body responsible for the coordination, monitoring and evaluation of this General Treaty, without prejudice to the bodies and mechanisms already set up under specific Agreements. It shall meet every three years, in the Philippines and in Spain alternately. Its composition, meeting dates and work schedules shall be established through diplomatic channels.

The High-Level Committee may convene for special meetings, if deemed appropriate by both Parties.

CHAPTER II. POLITICAL RELATIONS

Article 3

The High Contracting Parties agree to strengthen political cooperation between their two countries in accordance with the Declaration of Political Cooperation made by the Republic of the Philippines and the Kingdom of Spain and signed in Manila on 3 April 1995. In this regard, they shall carry out the following actions:

a) Encourage reciprocal visits between the Heads of Government of both countries, as well as at ministerial level, in order to deepen political dialogue between the two countries.

b) Conduct regular high-level political consultation in order to exchange information, opinions and views on bilateral and international issues, endeavoring to discuss and where possible, seek agreement on these issues at the bilateral and multilateral levels

when the existence of common purposes and interests is established; and particularly with regard to their respective regional groupings, namely: EU and ASEAN.

CHAPTER III. ECONOMIC AND FINANCIAL COOPERATION

Article 4

The High Contracting Parties, in accordance with the conventions and instruments subscribed to by both, in particular the Agreement between the Republic of the Philippines and Spain on Economic and Industrial Cooperation of 1988, shall carry out the following actions:

a) Boost and strengthen economic and financial cooperation and public and private sector contacts, with a view to expanding levels of bilateral trade and foreign investment.

b) Facilitate and promote the exchange of goods/products, in accordance with the existing laws and regulations in force in both countries.

c) Undertake specific investment projects, supporting the setting up of joint Philippine-Spanish undertakings, and fostering contact between enterprises through public and private institutions in both countries, including in and with respect to third countries and including those oriented to small- and medium-sized enterprises. These actions shall be in accordance with the Agreement between the Philippines and Spain for the Promotion and Protection of Investments which is currently in force.

d) Strengthening of cooperation for industrial development, including in the field of sectoral modernization and new technologies, also implementing work-related programmes through specific projects.

e) Cooperation in the field of services, including in the tourism, town planning and health sub-sectors.

CHAPTER IV. DEVELOPMENT, SCIENTIFIC AND TECHNICAL COOPERATION

Article 5

In the field of development cooperation, the High Contracting Parties shall, in line with their respective development priorities and areas of mutual interest, promote:

a) Cooperation in development and growth of small and medium-sized enterprises, industrial development and service.

b) Cooperation in research and development, through the establishment of joint projects in areas of mutual interest, such as the social sphere, economic modernization and the experimental sciences, fostering for this purpose relations and exchanges between the two countries, knowledge workers, educational (including elementary, secondary, tertiary and vocational/technical) and scientific institutions.

c) Environmental protection in the context of the resolutions of the 1992 World Conference on the Environment and Development and other related General Assembly reso-