

**No. 47030**

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**Switzerland  
and  
Spain**

**Arrangement between the Federal Department of Defence, civil protection and sports acting for the Swiss Federal Council and the Ministry of Defence of the Kingdom of Spain concerning military exercises, training and education. Bonn, 13 November 2008 and Madrid, 13 November 2008**

**Entry into force:** *13 November 2008 by signature, in accordance with article XVII*

**Authentic texts:** *English and Spanish*

**Registration with the Secretariat of the United Nations:** *Switzerland, 13 January 2010*

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**Suisse  
et  
Espagne**

**Arrangement entre le Département fédéral de la défense, de la protection de la population et des sports, pour le Conseil fédéral suisse, et le Ministère de la défense du Royaume d'Espagne concernant les exercices, l'instruction et l'entraînement militaires. Bonn, 13 novembre 2008 et Madrid, 13 novembre 2008**

**Entrée en vigueur :** *13 novembre 2008 par signature, conformément à l'article XVII*

**Textes authentiques :** *anglais et espagnol*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Suisse, 13 janvier 2010*

**ARRANGEMENT**

**BETWEEN**

**THE FEDERAL DEPARTMENT OF DEFENCE, CIVIL PROTECTION AND SPORTS**

**ACTING FOR THE SWISS FEDERAL COUNCIL**

**AND**

**THE MINISTRY OF DEFENCE OF THE KINGDOM OF SPAIN**

**CONCERNING**

**MILITARY EXERCISES, TRAINING AND EDUCATION**

**THE FEDERAL DEPARTMENT OF DEFENCE, CIVIL PROTECTION AND SPORTS  
ACTING FOR THE SWISS FEDERAL COUNCIL**

and

**THE MINISTRY OF DEFENCE OF THE KINGDOM OF SPAIN**

hereinafter referred to as **the Participants**,

- Desiring to further develop military training co-operation;
- Wishing to maintain an active relationship between the Participants' respective Armed Forces by which their experience, professional knowledge and training doctrine will be shared for mutual benefit to the extent possible, taking into account the national policies, laws and regulations of Switzerland and Spain;
- Wishing to set out the principles and procedures for the efficient use of training resources as well as the preparation and the conduct of military exercise, training and education;
- Bearing in mind the fact that the Armed Forces of both Participants should have the opportunity to train and exercise on each other's territory;
- Referring to the provisions of the "Agreement among the states parties to the North Atlantic Treaty Organisation and the other states participating in the Partnership for Peace regarding the status of their forces" (PfP SOFA), and its Additional Protocol, both done in Brussels on 19 June 1995; in force for Switzerland on 9 May 2003 and for Spain on 6 March 1998 which refers to the Agreement between the parties to the North Atlantic Treaty regarding the status of their forces, done in London on 19 June 1951 (NATO SOFA);

have reached the following understandings:

**Section I**  
**DEFINITIONS**

For the purpose of this Arrangement, the following definitions will apply:

- a. Host Nation (HN); means the Participant on whose territory the agreed military exercise, training and education will take place,
- b. Sending Nation (SN); means the Participant who sends personnel to the HN to participate in such military exercise, training and education,
- c. Sending Nation personnel (SN personnel); means the personnel belonging to the Participants' Armed Forces and its employed civilian personnel accompanying such a force.

## **Section II**

### **PURPOSE & SCOPE**

1. This Arrangement sets out the principles concerning the execution of Armed Forces activities regarding military exercises, training and education. This Arrangement covers activities on the Participants territory.
2. The preparation or performance of active operations (combat or police operations or other operations aimed at maintaining the domestic order) do not come under the provisions of this Arrangement.
3. This Arrangement is not intended to supersede national law or international obligations by which the Participants are bound, and in case of conflict, national law and international obligations will prevail. The Participants will notify each other in the case of any conflict arising out of this Arrangement.
4. This Arrangement does not put any obligation on the Participants to commit them to participate in any activity covered by this Arrangement.

## **Section III**

### **TECHNICAL ARRANGEMENTS**

1. Specific exercises, training and education projects will, if necessary, be executed within agreed subordinate Technical Arrangements.
2. In order to facilitate the Participants' long term planning, such arrangements should be concluded well in advance of the activity in question.

## **Section IV**

### **CO-OPERATION FIELDS**

Activities under this Arrangement may include - but will not be limited to - the following subjects:

- a. National or multinational military exercises, training and education for military personnel/units of all Armed Forces, including mutual utilisation of training facilities;
- b. Exchange of personnel, lessons learned and training programs;
- c. Training-cooperation between the CIS-Userboard ("SIMACET/FIS HEER") concerning the practical use in military operations, staff processes, applications in tactical environments and development thereof;
- d. Exchange of experience on the implementation of international treaties on arms control and disarmament;
- e. Training for Peace Support Operations;
- f. Mountaineering and survival training;
- g. Military Sports Activities.

## **Section V**

### **PLANNING AND STAFF TALKS**

Representatives of the Participants may meet, as required, to evaluate, co-ordinate and plan activities under this Arrangement.

## **Section VI**

### **STATUS OF FORCES**

The status of Participants' personnel will be governed by the Agreement among the states parties to the North Atlantic Treaty and the other states participating in the Partnership for Peace regarding the status of their forces, and the Additional Protocol, done in Brussels on 19 June 1995 (PfP SOFA), which refers to the Agreement between the parties to the North Atlantic Treaty regarding the status of their forces, done in London on 19 June 1951 (NATO SOFA).

## **Section VII**

### **COMMAND AND CONTROL**

Command and control arrangements will be in accordance with national procedures or such procedures as are determined between the Participants, as appropriate for the exercise, training or education activity concerned and detailed in subordinate arrangements to this Arrangement.

## **Section VIII**

### **CLEARANCES**

1. Each Participant will be responsible for its own overflight and landing clearances.
2. Aircraft and vehicles in use by the SN will have, within the respective national regulations, access to the HN's designated airspace, military airfields and public roads for the preparation, conduct and support of the exercise, training or education.

## **Section IX**

### **PHYSICAL SECURITY AND POLICING AUTHORITY**

1. The internal protection of facilities made available to the SN and the safe storage of materials and ammunition is the responsibility of the Participant using such facilities under this Arrangement. In this respect, the personnel of the SN will co-operate with the authorities of the HN in accordance with their respective national laws.
2. Facilities made available to the SN will be such as to enable the SN to provide effectively for its own security. Outside such facilities the SN does not have any police authority and may not set up armed guards.