

No. 50557

**Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
and
Spain**

Agreement between the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and Spain on the conduct of activities, including post-certification activities, relating to international monitoring facilities for the Comprehensive Nuclear-Test-Ban Treaty (with appendix and protocol). Vienna, 14 September 2000

Entry into force: *provisionally on 14 September 2000 by signature, in accordance with article 22, and definitively on 12 December 2003 by notification, in accordance with article 23*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, 4 March 2013*

**Commission préparatoire de l'Organisation du Traité
d'interdiction complète des essais nucléaires
et
Espagne**

Accord entre la Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires et l'Espagne sur la conduite des activités relatives aux installations de surveillance internationale, y compris les activités postérieures à la certification (avec appendice et protocole). Vienne, 14 septembre 2000

Entrée en vigueur : *provisoirement le 14 septembre 2000 par signature, conformément à l'article 22, et définitivement le 12 décembre 2003 par notification, conformément à l'article 23*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires, 4 mars 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT
BETWEEN
THE PREPARATORY COMMISSION FOR THE
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION
AND SPAIN
ON THE CONDUCT OF ACTIVITIES,
INCLUDING POST-CERTIFICATION ACTIVITIES,
RELATING TO
INTERNATIONAL MONITORING FACILITIES
FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

In accordance with paragraph 12(b) of the Text on the Establishment of a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, as annexed to the resolution establishing the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (“Preparatory Commission”), adopted by the meeting of States Signatories of the Comprehensive Nuclear-Test-Ban Treaty (“CTBT”) on 19 November 1996 at New York, the Preparatory Commission and Spain, hereinafter “the Parties”, with the goal of facilitating the activities of the Provisional Technical Secretariat (“PTS”) in:

- a) conducting an inventory of existing monitoring facilities;
- b) conducting a site survey;
- c) upgrading or establishing monitoring facilities; and
- d) certifying facilities to International Monitoring System standards,

and with the goal of facilitating the continued testing, provisional operation, as necessary, and maintenance of the International Monitoring System (“IMS”) in pursuit of the goal of an effective Treaty, have agreed, pursuant to the provisions of the CTBT, in particular Articles I to IV and Part I of the Protocol, as follows:

Article 1

Spain and the PTS shall cooperate to facilitate the implementation of the provisions of this Agreement

Article 2

The activities to be carried out on behalf of the PTS pursuant to the provisions of this Agreement shall be performed according to the terms and conditions of a contract or contracts awarded by the PTS in accordance with the provisions of the Financial Regulations and Rules of the Preparatory Commission. A copy of the technical terms of reference of each contract shall be provided to the Executive Agent.

Article 3

The activities to be carried out pursuant to the provisions of the Appendix shall be performed by Spain at its own expense on the basis of a proposal to be submitted by Spain for the approval of the PTS.

Article 4

Where activities pursuant to the provisions of this Agreement are to be carried out by the PTS, the activities shall be conducted by the PTS Team which shall consist of the personnel that shall, after consultations with Spain, be designated by the PTS. Spain shall be entitled to refuse

particular PTS team members on the understanding that the PTS will be entitled to propose new team members to replace them. For each activity carried out by the PTS, the PTS shall designate a Team Leader and Spain shall designate an Executive Agent who shall be the points of contact between the PTS and the Spain.

Article 5

No less than 14 days in advance of the proposed arrival of the PTS Team at the point of entry, the PTS Team Leader and the Executive Agent shall consult for the purpose of facilitating the conduct of the activities that will be undertaken, including consultations regarding the equipment to be brought into Spain by the PTS Team for carrying out the activities undertaken in accordance with the provisions of this Agreement. In the course of these consultations, Spain shall inform the PTS of the points of entry and exit through which the PTS Team and equipment will enter and exit the territory of Spain.

Article 6

During the consultations noted in paragraph (5) above, Spain shall inform the PTS of information required to issue documents to enable the PTS Team to enter and remain on the territory of Spain for the purpose of carrying out activities consistent with relevant agreed IMS Operational Manuals adopted by the Preparatory Commission without prejudice to Article II paragraph 26(h) of the CTBT and set forth in the Appendix or Appendices to this Agreement. The PTS shall provide that information to Spain as soon as possible after the conclusion of those consultations. In accordance with the relevant laws and regulations of Spain, the PTS Team shall be entitled to enter and remain there for the period of time necessary to carry out such activities. Spain shall grant or renew as quickly as possible appropriate visas where required for members of the PTS team.

Article 7

The activities of the PTS Team pursuant to the provisions of this Agreement shall be arranged in cooperation with Spain so as to ensure, to the greatest degree possible, the timely and effective discharge of its functions, and the least possible inconvenience to Spain and disturbance to any facility or area at which the PTS Team will carry out its activities.

Article 8

Spain shall accord members of the PTS Team present on its territory such protection and amenities as may be necessary to ensure the safety and well-being of each member of the PTS Team. The provisions of the Convention on the Privileges and Immunities of the United Nations shall apply, *mutatis mutandis*, to the activities of the PTS, its officials and experts in implementing the provisions of this Agreement.

Article 9

Spain shall make all reasonable efforts to ensure that local entities cooperate with the activities undertaken by the PTS Team. The PTS shall take all reasonable steps necessary to ensure that the Executive Agent is kept informed of progress or developments in relation to testing, provisional operating, as necessary, and maintenance activities.

Article 10

Spain and the PTS shall prepare in advance a list of equipment to be brought into Spain by the PTS Team. Spain shall have the right to conduct an inspection of such equipment in order to ensure that it conforms to the agreed list. Items of equipment that require special handling or storage for safety purposes shall be so designated by the PTS Team Leader and communicated to the Executive Agent prior to the arrival of the PTS Team at the point of entry. Spain shall ensure