

No. 54846*

**Spain
and
Organisation for Joint Armament Cooperation (OCCAR)**

Host Agreement between the Kingdom of Spain and the Organisation for Joint Armament Cooperation (OCCAR) concerning the location of a satellite office of the A400M Programme within the Spanish territory (with annex). Madrid, 9 July 2014

Entry into force: *provisionally on 9 July 2014 by signature and definitively on 25 October 2017 by notification, in accordance with article 7*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Spain, 14 December 2017*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Espagne
et
Organisation Conjointe de Coopération en matière d'Armement
(OCCAR)**

Accord de pays hôte entre le Royaume d'Espagne et l'Organisation conjointe de coopération en matière d'armement (OCCAR) concernant l'établissement d'un bureau auxiliaire pour le Programme A400M sur le territoire espagnol (avec annexe). Madrid, 9 juillet 2014

Entrée en vigueur : *provisoirement le 9 juillet 2014 par signature et définitivement le 25 octobre 2017 par notification, conformément à l'article 7*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Espagne, 14 décembre 2017*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

Host Agreement between the Kingdom of Spain and the Organisation for Joint Armament Cooperation (OCCAR) concerning the location of a Satellite Office of the A400M Programme within the Spanish territory.

Considering the Convention between the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the French Republic, the Government of the Federal Republic of Germany and the Government of the Italian Republic on the establishment of the Organisation for Joint Armament Cooperation (OCCAR) (Organisation Conjointe de Coopération en matière d'Armement), (with four annexes) signed at Farnborough on 9 September 1998 and ratified by the four founding signatories States on 28 December 2000, which entered into force on 28 January 2001, hereinafter referred to as "the OCCAR Convention";

Considering that the OCCAR Convention entered into force for the Government of the Kingdom of Belgium on 27 May 2003 and for the Government of the Kingdom of Spain on 6 January 2005;

Considering that the decision of the OCCAR Board of Supervisors (BoS) dated 20 June 2012, that in compliance with article 20 b) of the OCCAR Convention, approved the location in Seville of a Satellite Office of the A400M Programme, hereinafter referred to as the Satellite Office;

Pursuant to Article 40.2 and 41.1 of the OCCAR Convention;

The Kingdom of Spain and the Organisation for Joint Armament Cooperation (OCCAR) hereinafter referred to individually as "Party" and collectively as "the Parties", hereby agree as follows:

Article 1

Recognition of the location of the Satellite Office

The Kingdom of Spain recognises the location of the Satellite Office in Seville.

Article 2

Privileges and Immunities

For the purpose of this Agreement Annex I to the OCCAR Convention shall apply.

Article 3

Communications for the implementation of this Agreement

OCCAR liaison for all matters pertaining to the implementation of this Agreement shall be with the Sub-Directorate General for Chancellery of Ministry of Foreign Affairs and Cooperation of the Kingdom of Spain, hereinafter referred to as the Sub-Directorate.

Article 4 Accreditations

The Satellite Office shall inform the Sub-Directorate of the details of the appointment and the dates on which starts and ends each assignment to the Satellite Office of all OCCAR staff members appointed to it. The Ministry of Foreign Affairs and Cooperation of the Kingdom of Spain shall issue the appropriate accreditation cards.

The Satellite Office will inform the Sub-Directorate of the arrival in Spain of the OCCAR staff members appointed to it, as well as of their final departure.

The Satellite Office shall provide the Sub-Directorate, on an annual basis, with an updated list of the OCCAR staff members appointed to it

Article 5

Amendments

Any amendment to the present Agreement shall be effected in writing between the Parties expressly stating that it is an amendment to the present Agreement.

Any amendment hereof shall enter into force pursuant to the provisions contained in the Article 7 hereof.

Article 6

Implementation measures

The Parties shall adopt as many measures as may be necessary to implement the present Agreement.

Article 7

Duration, entry into force and provisional application

The present Agreement shall be provisionally applied as from its signature by both the Parties and shall enter into force on the date of the written note in which the Kingdom of Spain notifies OCCAR that the requirements necessary in order to enter into international treaties have been completed.

The present Agreement ceases to be in force if the Satellite Office is removed from the territory of the Kingdom of Spain. The obligations assumed by the Parties shall survive the termination of the present Agreement until all matters related to the Satellite Office's location on the territory of the Kingdom of Spain are settled.

Article 8

Settlement of disputes



Any dispute concerning the application or interpretation of this Agreement which it has not been possible to settle by negotiation between the Parties shall, at the request of either Party, be referred to a tribunal of arbitrators for final decision in compliance with the arbitration procedure as detailed in Annex A to this Agreement.

Article 9

Annex

The Annex A constitutes an integral part of this Agreement.

In witness whereof, the undersigned, being duly authorised, hereby sign the present Agreement, in duplicate copies, in the Spanish and English languages, both texts being equally authentic.

<p>For the Kingdom of Spain El Ministro de Asuntos Exteriores y Cooperación D. José Manuel García Margallo y Marfak</p>  <p>Done at Madrid on the 9 July 2014</p>	<p>For the Organisation for Joint Armament Cooperation (OCCAR) The Director Mr. Timothy Rowntree</p>  <p>Done at Madrid on the 9 July 2014</p>
--	---

ANNEX A

ARBITRATION PROCEDURE

Article 1

The Party instituting the arbitration proceedings shall advise the other Party by registered letter, with official notice of delivery, of their desire to have recourse to arbitration.

Article 2

2.1 The Arbitral Tribunal shall be composed of three members:

2.1.1 an arbitrator designated by each Party to the dispute;

2.1.2 a third arbitrator, designated by mutual agreement by the first two, who shall act as chairman of the Tribunal;

2.2 If the chairperson of the tribunal is not designated within thirty (30) days from the date of designation of the second arbitrator, a Party to the dispute may request the President of the International Court of Justice to select as soon as possible the chairperson. He may not choose a chairperson who has been or is currently of the same nationality as one of the Parties to the dispute, unless the other Party so agrees.

2.3 If, within sixty (60) days from the date of receipt by one of the Parties of the request for arbitration, one of the Parties to the dispute has not designated an arbitrator, the other party may request the President of the International Court of Justice to select as soon as possible that arbitrator.