

**No. 55135\***

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**Spain  
and  
India**

**Agreement between the Kingdom of Spain and the Republic of India on reciprocal exemption of visas for holders of diplomatic passports. Madrid, 30 May 2017**

**Entry into force:** *12 April 2018 by mutual agreement, in accordance with article 12*

**Authentic texts:** *English, Hindi and Spanish*

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**Espagne  
et  
Inde**

**Accord entre le Royaume d'Espagne et la République de l'Inde relatif à l'exemption réciproque de visas pour les titulaires de passeports diplomatiques. Madrid, 30 mai 2017**

**Entrée en vigueur :** *12 avril 2018 par consentement mutuel, conformément à l'article 12*

**Textes authentiques :** *anglais, hindi et espagnol*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Espagne, 17 avril 2018*

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**AGREEMENT BETWEEN THE KINGDOM OF SPAIN AND THE  
REPUBLIC OF INDIA ON RECIPROCAL EXEMPTION OF VISAS FOR  
HOLDERS OF DIPLOMATIC PASSPORTS**

The Kingdom of Spain and the Republic of India, hereinafter the “Contracting Parties”;

Desiring to strengthen their existing friendly relations by way of encouraging free movement between both countries for holders of diplomatic passports; and recognising the need to respect national laws and regulations and, in addition, in the case of the Kingdom of Spain, commitments deriving from the application of EU Law and of the Schengen Agreement of 14 June 1985 and its Implementing Convention of 19 June 1990;

Have agreed on the following:

**Article 1**

**Visa Exemption**

1. Nationals from the Republic of India holding valid diplomatic passports may enter into the territory of the Kingdom of Spain on official or private visits, without a visa for stays of a duration not exceeding ninety (90) days within any period of one hundred and eighty (180) days.
2. When the aforementioned persons enter the territory of the Kingdom of Spain after having travelled through the territory of one or more of the Member States of the European Union in which regulations relating to the elimination of controls at interior borders and of restrictions on free movement of persons are fully applied, as stipulated in Regulation (EC) no. 562/2006 of the European Parliament and of the Council of 15 March 2006, in which a Community Code of regulations for the crossing of borders by persons (Schengen Borders Code) is established, the 90

days shall take effect as of the date on which the exterior border that delimits the free movement zone made up by said States has been crossed.

## **Article 2**

### **Duration of Visa Exemption period**

1. Nationals from the Kingdom of Spain, holding valid diplomatic passports, may enter into the territory of the Republic of India, for official or private visits, without a visa for stays of a duration not exceeding ninety (90) days within any period of one hundred and eighty (180) days.
2. Holders of Indian diplomatic passports entering Spain with the aim of accreditation will be required to previously obtain the necessary visa. Holders of Spanish diplomatic passports entering India with the aim of accreditation will be required to previously obtain the necessary visa.

## **Article 3**

### **Visas for Assignments**

1. A citizen of either Contracting Party, who is assigned as a member of the diplomatic or consular staff or as representative of his/her country in an international organization located in the territory of the other Contracting Party and is in possession of a valid diplomatic passport, shall be required to obtain a visa prior to entry into the territory of the other Contracting Party.
2. The holders of diplomatic passports of either Contracting Party who are employed by an international organization, body, agency or any other such entity, would be required to obtain visa prior to their entry into the territory of the other Contracting Party for official or private visas.

3. The conditions enumerated in paragraph 1 of this Article shall also apply to the spouse of a member of the Diplomatic Mission or Consulate or representative international organization, their children and dependent parents.

#### **Article 4**

##### **Applicability of Local/National Laws**

The provisions of this Agreement shall not exempt nationals of the Contracting Parties mentioned in Articles 1 and 2 of the present Agreement from observing the national legislation of the Kingdom of Spain and of the Republic of India, respectively, without detriment to the privileges and immunities guaranteed in the Vienna Convention on Diplomatic Relations of 18 April 1961 and the Vienna Convention on Consular Relations of 24 April 1963, as well as other applicable regulations of international law. The provisions of this Agreement do not exempt the beneficiaries of this Agreement from the obligation of obtaining a visa for stays of over ninety (90) days.

#### **Article 5**

##### **Passport Validity**

The duration of diplomatic passports of nationals of either Party shall be valid for at least 6 (six) months on the date of entry into the territory of the country of the other party.

#### **Article 6**

##### **Travel Documents**

1. In a period of thirty (30) days from the date of the signing of this Agreement, the Ministry of Foreign Affairs and Cooperation of the Kingdom of Spain and the Ministry of Foreign Affairs of the Republic of India shall exchange, through diplomatic channels, samples of their respective diplomatic passports currently in force.

2. The Contracting Parties shall inform each other, through diplomatic channels of amendments introduced into their respective legislations regarding the issuance of diplomatic passports and shall exchange through diplomatic channels, specimen of its new or modified passport, including a detailed description of such documents, at least thirty (30) days before they are brought into force.

#### **Article 7**

##### **Prevention of falsification of Passports**

The Parties commit to preventing the falsification of passports and will ensure fulfilment of the minimum security standards recommended by the ICAO for machine readable travel documents.

#### **Article 8**

##### **Suspension**

Either Contracting Party may suspend, partially or completely, application of the present Agreement for an indefinite period of time provided that there are reasons of national security, public order or public health. The adoption and, should the case arise, elimination of such a measure will be notified immediately through diplomatic channels. Such suspension shall be effective from the date stipulated in the notification to the other Contracting Party. The suspension will not affect diplomatic passport holders who may have already entered the territory of the other Contracting Party without visa under the agreement.

#### **Article 9**

##### **Dispute Settlement**

Any difference or dispute arising out of the implementation of the provisions of the Agreement shall be resolved amicably by consultation or negotiation between the