

#### **4. The United States - Spanish Agreement**

**26 SEPTEMBER 1953**

**Preamble**

Faced with the danger that threatens the western world, the Governments of the United States and Spain, desiring to contribute to the maintenance of international peace and security through foresighted measures which will increase their capability, and that of the other nations which dedicate their efforts to the same high purposes, to participate effectively in agreements for self defense; Have agreed as follows:

#### **Article I**

In consonance with the principles agreed upon in the Mutual Defense Assistance Agreement,(2) the Governments of the United States and of Spain consider that the contingencies with which both countries may be faced indicate the advisability of developing their relations upon a basis of continued friendship, in support of the policy of strengthening the defense of the West. This policy shall include:

1. On the part of the United States, the support of Spanish defense efforts for agreed purposes by providing military end item assistance to Spain during a period of several years to contribute to the effective air defense of Spain and to improve the equipment of its military and naval forces, to the extent to be agreed upon in technical discussions in the light of the circumstances, and with the cooperation of the resources of Spanish industry to the extent possible. Such support will be conditioned as in the case of other friendly nations by the priorities and limitations due to the international commitments of the United States and the exigencies of the international situation and will be subject to Congressional appropriations.
2. In consequence of the above stated premises and for the same agreed purposes, the Government of Spain authorizes the Government of the United States, subject to terms and conditions to be agreed, to develop, maintain and utilize for military purposes, jointly with the Government of Spain, such areas and facilities in territory under Spanish jurisdiction as may be agreed upon by the competent authorities of both Governments as necessary for the purposes of this agreement.

3. In granting assistance to Spain within the policy outlined above, as the preparation of the agreed areas and facilities progresses, the Government of the United States will satisfy, subject to the provisions of paragraph one, the minimum requirements for equipment necessary for the defense of Spanish territory, to the end that should a moment requiring the wartime utilization of the areas and facilities arrive, from this moment, the requirements are covered to the extent possible as regards the air defense of the territory and the equipment of the naval units; and that the armament and equipment of the Army units be as far advanced as possible.

## **Article II**

For the purposes of this agreement and in accordance with technical arrangements to be agreed upon between the competent authorities of both Governments, the Government of the United States is authorized to improve and fit agreed areas and facilities for military use, as well as to undertake necessary construction in this connection in cooperation with the Government of Spain; to station and house therein the necessary military and civilian personnel and to provide for their security, discipline and welfare; to store and maintain custody of provisions, supplies, equipment and material; and to maintain and operate the facilities and equipment necessary in support of such areas and personnel.

## **Article III**

The areas which, by virtue of this Agreement, are prepared for joint utilization, will remain under Spanish flag and command, and Spain will assume the obligation of adopting the necessary measures for the external security. However, the United States may, in all cases, exercise the necessary supervision of United States personnel, facilities, and equipment. The time and manner of wartime utilization of said areas and facilities will be as mutually agreed upon.

## **Article IV**

The Government of Spain will acquire, free of all charge and servitude, the land which may be necessary for all military purposes and shall retain the ownership of the ground and of the permanent structures which may be constructed thereon. The United States Government reserves the right to remove all other constructions and facilities established at its own expense when it is deemed convenient by the Government of the United States or upon the termination of this Agreement;

in both cases the Spanish Government may acquire them, after previous assessment, whenever they are not installations of a classified nature. The Spanish state will be responsible for all claims made against the United States Government by a third party, in all cases referring to the ownership and utilization of the above-mentioned land.

#### **Article V**

The present Agreement will become effective upon signature and will be in force for a period of ten years, automatically extended for two successive periods of five years each unless the termination procedure hereafter outlined is followed. At the termination of the first ten years or of either of the two extensions of five years, either of the two Governments may inform the other of its intention to cancel the Agreement, thus initiating a consultation period of six months. In the event concurrence is not reached on extension, this Agreement will terminate one year after the conclusion of the period of consultation. In witness whereof the respective representatives, duly authorized for the purpose, have signed the present Agreement. Done at Madrid, in duplicate, in the English and Spanish languages, both texts authentic, this 26th day of September, 1953.

#### **Notes:**

- (1) TIAS 2850; 4 UST 1895.
  - (2) TIAS 2849; 4 UST 1876.
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