

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 3750
2. COW Alliance # (if applicable): NA
3. Signature date(s) (may vary for members in multilateral alliances): 24 January 1976.
4. Members of alliance (use COW country codes): Spain (230)+ US (2)
5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
NO.
6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.) TREATY
7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
PUBLIC
8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
NO
9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
NO.
10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
YES. Article VII- "This Treaty and its Supplementary Agreements ... will remain in force for five years, whereupon they may be extended for an additional five-year period if the parties so agree."
11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
NO
12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
YES. Article VII- "This Treaty and its Supplementary Agreements ... will remain in force for five years, whereupon they may be extended for an additional five-year period if the parties so agree."
13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
The treaty was extended for a period of eight months on 4 September 1981 through the exchange of notes between the two governments.
14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
December 10, 1981
15. Describe what caused the alliance to terminate. The alliance terminated when Spain became a member of NATO.

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)
Defense Pact, Consultation Pact
17. Type of alliance as coded in COW data (if applicable): NA
18. Describe the obligations of the alliance partners.
Defense: Supplementary Agreement #5, Article II: "The mission of the Combined Staff shall be to prepare and coordinate plans, which are in harmony with existing security arrangements in the North Atlantic area, for actions which could be taken in the geographic area of common interest as defined in Article III, in case of an attack against Spain or the United States in the context of a general attack against the West."
Article III specifies the "geographic area of common interest."

Consultation: Supplementary Agreement #6, Article III: "In the case of external threat or attack against the security of the

West, the time and manner of the use by the United States of the facilities referred to in this Supplementary Agreement to meet such threat or attack will be subject of urgent consultations between the two Governments, and will be resolved by mutual agreement in light of the situation created.”

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)

Specific Location- Parties promise to engage in bilateral military cooperation and consultations in peacetime and in the case of an attack against Spain or the US *in the geographic area of common interest* as defined in Article III of Supplementary Agreement 5.

20. Describe the nature of the limits to obligations listed in #19.

SA 5, Article III- The geographic area of common interest is defined as follows:

- a. Spain, including adjacent air space.
- b. Atlantic area.
 1. Northern limit: the parallel of 48 degrees north latitude to the European continent.
 2. Western limit: from the intersection of 48 degrees north latitude and 23 degrees west longitude, south to the parallel of 23 degrees north latitude.
 3. Southern limit: the parallel of 23 degrees north latitude eastward from 23 degrees west longitude to the coastal waters of the African littoral.
 4. Eastern limit: northward along the African coast to the Strait of Gibraltar and thence northward along the coast of Europe to 48 degrees north latitude.
- c. Mediterranean area: from the Strait of Gibraltar to the meridian of 7 degrees east longitude
- d. The area excludes the territory of third states and their territorial waters.

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

Yes – Spain provides facilities to US

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

YES. Consultation obligations regarding use of Spanish facilities by US in event of threat to West.

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty. NO.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

No- Spain provides facilities to US

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

NO

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions. NO

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe. NO

28. Additional coder comments regarding treaty obligations:

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

NO

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.

NO

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.) YES.

SA 5, Article I- “ A Combined Military Coordination and Planning Staff shall be established at Madrid to facilitate coordination between the Spanish Armed Forces and the Armed Forces of the United States, as well as other forces dedicated to North Atlantic

defense. The Combined Staff will operate within the overall framework of the United States- Spanish Council and receive the Council's guidance through the Joint Military Committee. The Council will be kept apprised of the work of the staff, including all proposed joint exercises or other activities. The staff will have no command function."

SA 6, Article IV- " Through the Joint Committee for Politico-Military Administrative Affairs, the parties will seek to assure the necessary coordination between the two Governments, and to resolve such problems as may arise as a result of the application of this Supplementary Agreement. The organization and operation of the Committee will be developed with a view to dealing effectively and expeditiously with the problems which may arise, to promoting the direct contact between military and civilian officials of both parties appropriate to these ends..."

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.

YES. US undertakes to furnish grants, loans and training to Spain to enhance cooperation for defense.

Supplementary Agreement 7, Article I- " The Government of United States will issue repayment guaranties under its foreign military sales program to facilitate the extension of loans to the Government of Spain by eligible lenders for the purpose of financing the purchase by the Government of Spain of defense articles and defense services in furtherance of the present Treaty of Friendship and Cooperation. The aggregate principal amount of loans guaranteed by the Government of the United States in accordance with this Article shall total \$120,000,000 during each of the five years during which the present Treaty of Friendship and Cooperation shall remain in force."

Supplementary Agreement 7, Article II- " 1. The Government of the United States will furnish defense articles to the Government of Spain on a grant basis with a value of \$75,000,000 over the period during which the present Treaty of Friendship and Cooperation shall remain in force.

2. In addition, the Government of the United States will continue to furnish on a grant basis training for personnel of the armed forces of Spain, the valued of which shall be \$2,000,000 during each o the five years of validity of the Treaty.

3. The value of defense articles furnished under this Article will be calculated in the manner most favorable to the Government of Spain, consistent with applicable United States laws and regulations."

SA 7, Article IV- " The Government of the United States will assign a high priority to the delivery to Spain of grant materiel agreed upon and of the necessary logistic support of the aforesaid needed materiel for the life of the Agreement."

SA 7, Article VI- " The Government of the United States agrees to contribute to modernizing, semi-automating and maintaining the existing aircraft control and warning network utilized by the United States Air Force in Spain, in an amount not exceeding \$50,000,000."

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe. NO

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe. NO

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.

YES. Treaty of Friendship and Cooperation, Article I- " ... For these purposes, a Spanish- United States Council is established under the chairmanship of the Foreign Minister of Spain and the Secretary of State under the United States of America."

Supplementary Agreement (SA) 1- Article II- "The Council will be chaired by the Secretary of State of the US and the Foreign Minister of Spain, and will meet at least semi-annually."

The Council will be supported by supplementary committees, which will facilitate cooperation between Spain and US:

Supplementary Agreement 1- Article III- " The Council will have under its aegis a Joint Economic Committee, a Joint Scientific and Technological Affairs Committee, a Joint Educational and Cultural Affairs Committee, and a Joint Committee for Politico- Military Affairs. It may form such other committees and subsidiary bodies as may be deemed appropriate to facilitate the performance of the Council's functions."

SA 1, Article IV- "In order to establish the necessary coordination between them and to ensure greater effectiveness of the reciprocal defense support granted by each to the other, the two parties agree to establish a Joint Military Committee dependent on the Council, composed of the two Chiefs of the Joint Chiefs of Staff, or their designated representatives, which shall meet semi-annually."

SA 3, Article VI- " Cooperation in science and technology shall be coordinated through the Joint Committee for Scientific and Technological Cooperation which shall be responsible for:

- a. formulation of an annual program of scientific and technological cooperation between the two countries;
- b. review of all programs, activities, and operations, including the preparation of an annual report; and
- c. the Joint Committee may recommend to the Governments modification, postponement, or termination of programs, where warranted, after consultation with all affected agencies and institutions.”

SA 3, Exchange of Notes- “ The two governments charge the Joint Committee on Scientific and Technological Cooperation a plan for carrying out appropriate studies necessary for the eventual creation of a Solar Energy center located in Spanish territory

SA 5, Article I- “ A Combined Military Coordination and Planning Staff shall be established at Madrid to facilitate coordination between the Spanish Armed Forces and the Armed Forces of the United States, as well as other forces dedicated to North Atlantic defense. The Combined Staff will operate within the overall framework of the United States- Spanish Council and receive the Council’s guidance through the Joint Military Committee. The Council will be kept apprised of the work of the staff, including all proposed joint exercises or other activities. The staff will have no command function.”

SA 5, Article II- “ The mission of the Combined Staff shall be to prepare and coordinate plans, which are in harmony with existing security arrangements in the North Atlantic area, for actions which could be taken in the geographic area of common interest as defined in Article III, in case of an attack against Spain or the United States in the context of a general attack against the West.”

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.

YES. “... The Government of Spain grants the US the right to use and maintain for military purposes the existing facilities in or connected with the Spanish military bases and installations listed in this agreement and its annex.

The facilities referred to above include those located at Rota Naval Base; the Torrejon and Zaragoza Air Bases, the Bardenas Reales firing range; and Moron, which remains on stand-by status.”

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe. YES

SA 3, Exchange of Notes--“ The Government of the United States will provide each year, as a grant, the sum of \$ 4,600,000 , which represents over the five-year duration of the aforementioned Supplementary Agreement a total grant of \$23,000,000 to carry out the annual programs which, in accordance with paragraph a of Article V, will be made up of groups of specific projects.”

SA 4, Exchange of Notes—“ In order to carry out the annual programs in conformity with Articles I, II,III, and V of this Supplementary Agreement, the Government of the United States will furnish each year, in the form of a grant, the sum of \$2,400,000 which represents, for the five-year duration of the Supplementary Agreement, a total of \$12 million.”

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions. NO

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference. NO

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe. NO

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe. NO

The treaty requires withdrawal of the personnel, property, and materiel of the USA from Spain within a year from the termination of the Treaty of Friendship and Cooperation.

Article VIII- “ In order to facilitate the withdrawal of the personnel, property, equipment, and materiel of the Government of the United States of America located in Spain pursuant to Article V of the Treaty and its Supplementary Agreements, a period of one year from the termination of the Treaty is provided for the completion of withdrawal which will begin immediately after such termination. During that one-year period, all the rights, privileges and obligations deriving from Article V and its Supplementary Agreements shall remain in force while United States forces remain in Spain.”

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe. NO.

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference. NO
45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference. NO
46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference. NO.
47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference. NO
48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference. NO
49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.
YES. The treaty has 7 Supplementary Agreements, whose provisions are described in the previous sections.
50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe. YES. The treaty includes supplementary agreements that regulate cooperation in economic, cultural & educational, scientific & technological fields.
51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe. NO
52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe. NO
53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe. NO
54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe. NO
55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.

YES. Supplementary Agreement 2, Article IV- US promises to assist Spain's industrial development programs and extends credits for this purpose: "The Export- Import Bank of the United States, in order to contribute to Spain's development, is currently prepared to commit credits and guarantees of approximately \$450 million for Spanish companies."
56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe. NO

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:
Coding includes supplementary agreements signed with treaty.
58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty and Supplementary Agreements
59. Treaty citation: United Nations, Treaty Series, vol. 1030, 121- 179 #15152
60. Date of last revision of this coding sheet: July 24, 2004
61. Coder: Sezi Anac and Ashley Leeds