



Treaty Series No. 54 (1994)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Kingdom of Spain

concerning the Derogation by the two Countries of
Certain Aspects of Article 24 of the Convention
on the Civil Aspects of International Child Abduction
signed at The Hague on 25 October 1980

Madrid, 22 July 1991

[The Agreement entered into force on 2 March 1994]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
October 1994*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE KINGDOM OF SPAIN
CONCERNING THE DEROGATION BY THE TWO COUNTRIES OF
CERTAIN ASPECTS OF ARTICLE 24 OF THE CONVENTION ON THE
CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION
SIGNED AT THE HAGUE ON 25 OCTOBER 1980**

No. 1

*The Minister of Foreign Affairs of the Kingdom of Spain
to Her Majesty's Ambassador at Madrid*

*Ministry of Foreign Affairs
Madrid
22 July 1991*

Excmo. Sr.:

Tengo el honor de informarle de que el Reino de España está dispuesto a llegar a un acuerdo con el Reino Unido de Gran Bretaña e Irlanda del Norte de conformidad con lo dispuesto en el artículo 36 del Convenio de La Haya sobre aspectos civiles de la sustracción internacional de menores, hecho en La Haya el 25 de octubre de 1.980, con el fin de dejar sin efecto algunas de las disposiciones del Convenio que pueden suponer restricciones para la devolución de menores al amparo del mismo Convenio.

En consecuencia, no obstante lo dispuesto en el artículo 24, en virtud del presente Acuerdo se dispone que las solicitudes, comunicaciones u otros documentos enviados por las autoridades centrales del Reino Unido a la autoridad central de España estarán redactados o traducidos al inglés.

Asimismo, las solicitudes, comunicaciones u otros documentos enviados por la autoridad central de España a las autoridades centrales del Reino Unido estarán redactados o traducidos al español.

No obstante este Acuerdo, la autoridad central de España podrá seguir utilizando la lengua inglesa y las autoridades centrales del Reino Unido podrán seguir usando la lengua española.

Si lo anterior resulta aceptable para el Reino Unido de Gran Bretaña e Irlanda del Norte, tengo el honor de proponer que la presente Nota y su respuesta a tal efecto constituyan un Acuerdo entre los dos Estados sobre esta materia, que entrará en vigor en la fecha en que se emita una Nota del Ministerio de Asuntos Exteriores de España en la que se declare que se han cumplido las formalidades constitucionales necesarias para su entrada en vigor y que permanecerá en vigor hasta que lo denuncie cualquiera de las Partes por escrito y por conducto diplomático.

FRANCISCO FERNANDEZ ORDÓÑEZ

[Translation of No. 1]

*The Minister of Foreign Affairs of the Kingdom of Spain
to Her Majesty's Ambassador at Madrid*

*Ministry of Foreign Affairs
Madrid
22 July 1991*

Your Excellency

“I have the honour to inform you that the Kingdom of Spain is willing to enter into an agreement with the United Kingdom of Great Britain and Northern Ireland pursuant to the provisions of Article 36 of the Hague Convention on the Civil Aspects of International Child Abduction, signed at The Hague on 25 October 1980¹, to derogate from certain provisions of that Convention which may imply restrictions on the return of children under the Convention.

Consequently, notwithstanding the provisions of Article 24, it is established by virtue of this Agreement that applications, communications or other documents sent by the Central Authorities of the United Kingdom to the Central Authority of Spain shall be drawn up or translated into English.

Likewise, applications, communications or other documents sent by the Central Authority of Spain to the Central Authorities of the United Kingdom shall be drawn up or translated into Spanish.

Notwithstanding this Agreement, however, the Central Authority of Spain may continue to use the English language and the Central Authorities of the United Kingdom may continue to use the Spanish language.

If the foregoing is acceptable to the United Kingdom of Great Britain and Northern Ireland, I have the honour to propose that this Note and your reply to that effect shall constitute an Agreement between the two States in this matter, which shall enter into force on the date of a Note from the Spanish Ministry of Foreign Affairs stating that the constitutional formalities necessary for its entry into force have been completed, and shall remain in force until terminated by either party in writing through the diplomatic channel.”

FRANCISCO FERNANDEZ ORDÓÑEZ

¹ Treaty Series No. 66 (1986) Cm 33.

No. 2

*Her Majesty's Ambassador at Madrid
to the Minister of Foreign Affairs of the Kingdom of Spain*

*British Embassy
Madrid
22 July 1991*

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of 22 July 1991, the text of which reads as follows:

[As in Translation of No. 1]

I have the honour to confirm that the foregoing proposals are acceptable to the United Kingdom of Great Britain and Northern Ireland and that Your Excellency's Note, together with this reply, shall constitute an Agreement between the two States in this matter which shall enter into force on the date of a Note from the Spanish Ministry of Foreign Affairs stating that the constitutional formalities necessary for its entry into force have been completed¹ and shall remain in force until terminated by either party in writing through the diplomatic channel.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

ROBIN FEARN

¹ The Agreement entered into force on 2 March 1994.

