

**ADMINISTRATIVE AGREEMENT  
BETWEEN THE EUROPEAN COMMISSION AND THE KINGDOM OF SPAIN**

(2006/C 73/06)

The European Commission, of the one part, and the Kingdom of Spain, of the other part,

Having regard to the conclusions adopted by the 'General affairs and external relations' Council of the European Union, meeting on 13 June 2005, with regard to the official use of additional languages in the Council and, where appropriate, in other institutions and bodies of the European Union,

Whereas:

- (1) The efforts made to bring the Union closer to its citizens require that, as far as possible, both they and their representatives are able to communicate with the institutions in their mother tongue, which is an important factor in strengthening their identification with the Union's political project.
- (2) In the Union there are languages other than those referred to in Council Regulation No 1/1958 whose status is recognised by the Constitution of a Member State in the whole or a part of its territory or whose use as a national language is authorised by law,

**AGREE** to conclude this **ADMINISTRATIVE AGREEMENT** to allow the official use in the European Union of, in addition to Spanish or Castilian, the other languages which in Spain enjoy a status recognised by the Spanish Constitution of 1978.

### Article 1

Spanish citizens, or any other natural or legal person residing or established in Spain, shall be entitled, under the terms of Spanish law and in accordance with the conclusions of the Council of 13 June 2005, to address their written communications to the European Commission in any of the languages which, under the Spanish Constitution, have official status within Spanish territory.

**1.1.** When the language used is not Spanish/Castilian, this option shall be exercised by means of the following procedure:

- The citizen shall address his written communication to the competent body designated by Spanish law, which will send it to the European Commission together with a certified translation into Spanish/Castilian done by that body.
- The date of receipt of the communication, particularly in cases where the Commission has a time limit for sending a reply to the citizen, shall be that on which the Commission receives the certified translation from the said body.
- The European Commission shall draft its reply in Spanish/Castilian and send it to the abovementioned competent body.

- This body shall send to the person concerned, as soon as possible, the Commission's reply together with its certified translation into the language of the original document.

- If the competent departments of the Commission decide to reply in the language of the original document, they may do so and send their reply directly to the person concerned.

- The Commission shall not be held liable for any errors of translation into a language other than Spanish/Castilian or for any misinterpretation of the reply as a result of such errors. This condition shall be stated explicitly in the text of the translations.

**1.2.** Unless the Commission's departments are able and willing to do the translation themselves, the Commission shall return to the sender any communications that it receives in languages other than Spanish/Castilian which in Spain enjoy a status officially recognised by the Spanish Constitution of 1978 and that are not accompanied by a certified translation into Spanish/Castilian.

In such cases, the Commission shall inform the person concerned that the exercise of his right to address this institution and to obtain a reply in the language of his choice must be done by sending the communication in the said language to the body designated for this purpose by Spanish law.

**1.3.** When the citizen who is the author of the communication has a time limit for acting on the Commission's reply and notwithstanding the provisions of Article 1.1., the Commission shall send its reply in Spanish/Castilian directly to the citizen at the same time as to the competent body. In its reply, the Commission shall remind the citizen that the time limit for acting on the reply will start from the date of receipt of the reply in Spanish/Castilian. The Commission shall send a copy of its reply to the competent body so that the latter can provide the citizen with a translation thereof in the language of the communication; in its reply, the Commission shall also draw the citizen's attention to this fact. The Commission shall not under any circumstances be held liable for these translations. This condition shall be stated explicitly in the text of the translations.

**1.4.** If the Commission has to reply within a given period, this shall begin from receipt of the original document accompanied by a certified translation into Spanish/Castilian. This period shall end once the Commission has sent its written reply in Spanish/Castilian to the competent body designated by Spanish law or from the time when the Commission sends directly to the person concerned its reply in the language of the original document.

1.5. The parties to this administrative agreement undertake to adopt the necessary measures to maintain at all times the confidentiality of the communications referred to herein, particularly as regards the translation done by the competent body designated by Spanish law.

## Article 2

The Spanish Government shall bear the European Commission's direct or indirect costs arising from the application of this administrative agreement.

Once a year, the competent departments of the Commission shall apply to the Spanish authorities for reimbursement of the expenditure incurred, calculated as a lump sum, on the basis of the number of pages translated by them in accordance with the procedure provided for in this agreement.

## Final provision

This agreement shall enter into force once the Spanish Government has notified the Secretariat-General of the Commission of the bodies designated by Spanish law as the competent bodies for making the translations referred to in Article 1.

Brussels, 21 December 2005.

### *The Commission of the European Communities and the Kingdom of Spain*

Carlos BASTARRECHE  
*Ambassador*  
*Permanent Representative*

Catherine DAY  
*Secretary-General*

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