

AGREEMENT ON SECURITY COOPERATION BETWEEN SPAIN AND UKRAINE

PREAMBLE

Spain and Ukraine, hereinafter jointly referred to as “the Participants” or “Spain and Ukraine”,

Reaffirming their unequivocal condemnation of the unjustified and unprovoked armed aggression by the Russian Federation against Ukraine in violation of international law, including the Charter of the United Nations (UN Charter) and the Helsinki Final Act;

Reaffirming Ukraine’s inherent right of self-defence under Article 51 of the UN Charter and their demand for Russia to immediately, completely and unconditionally withdraw all its military forces from the territory of Ukraine within its internationally recognized borders as of 1991, including the territorial sea;

Recognizing that Russia's illegal and unprovoked full-scale invasion of Ukraine undermines the rules-based international order and the UN Charter, and is a threat to international peace and security;

Recognizing the need to achieve a just and lasting peace in line with international law and the UN Charter, and based on Ukraine’s sovereignty and territorial integrity, as stipulated in Ukraine’s Peace Formula;

Reaffirming Spain’s unwavering support for Ukraine’s independence, sovereignty and territorial integrity within its internationally recognized borders as of 1991;

Reaffirming Spain’s commitment to work with Ukraine as it makes progress in meeting the conditions in its EU accession process, taking into account the merit-based approach, as well as in its NATO aspirations;

Acknowledging the support provided by Spain to Ukraine in the military, technical, defence, diplomatic, humanitarian, accountability, internal security, economic and financial fields, among others;

Deeply committed to democratic principles, including the rule of law, good governance, and respect for human rights and fundamental freedoms;

Recalling the relevant United Nations General Assembly Resolutions, including A/ES-11/L.1, A/ES-11/L.2, A/ES-11/L.5 and A/ES-11/L.7, which underpin the strong international support for the restoration of the principles of international law and the UN Charter in Ukraine;

Recalling the Joint Declaration signed by President of the Government of Spain Pedro Sánchez and President of Ukraine Volodymyr Zelenskyy, on the occasion of their meeting in Kyiv on 1 July 2023, coinciding with the first day of the Spanish Presidency of the Council of the European Union;

Recalling the Joint Declaration of Support for Ukraine adopted in Vilnius on 12 July 2023 by the G7 Leaders, and endorsed by Spain on the same date;

Have jointly determined to strengthen their security cooperation by pursuing the bilateral long-term security commitments and measures set out in this Agreement.

I. SCOPE

1. Hereby, Spain and Ukraine will deepen their cooperation and partnership, which are based on their common interests in the defence of international law, rules-based international order, peace, and protection of human rights and fundamental freedoms.
2. The Participants will deepen their cooperation in particular to enable Ukraine to defend itself against the Russian aggression and to deter future aggressions. The Participants will support Ukraine's economic stability, reconstruction, resilience, and reform agenda, as well as facilitate Ukraine's integration into the Euro-Atlantic community, in particular the EU and NATO.
3. Spain is determined to provide support for Ukraine for as long as it takes, in coordination with its international partners and allies, in order to help Ukraine defend itself, thus preventing the possible escalation of the ongoing aggression, restore its territorial integrity within its internationally recognised borders as of 1991, secure its free and democratic future, enable Ukraine to continue providing services to its people, to uphold a functioning Ukrainian economy, and deter future Russian aggression.

II. SECURITY AND DEFENCE COOPERATION

1. Since Russia's full-scale invasion in 2022, Spain has made significant military assistance contributions to support the security and defence forces of Ukraine through several packages of military materiel and protection gear, as well as military training and transportation and treatment of the wounded and their families. The Participants will continue their military cooperation to contribute to Ukraine's ability to continue to exercise its legitimate right to self-defence and to help adapt and modernise its security and defence forces, in close cooperation with the European Union and NATO. In 2024, Spain will provide EUR 1 billion in military support.
2. In addition to its bilateral military support, Spain contributes significantly to the European Union funding through the European Peace Facility, which so far, after the full-scale invasion of Ukraine, has committed EUR 11.1 billion in support of security and defence forces of Ukraine, and has pledged additional EUR 5 billion for the period 2024-2027 through the Ukraine Assistance Fund under the European Peace Facility.
3. Spain is committed to continue its multifaceted support to Ukraine for the duration of this Agreement.
4. Spain underlines its intention to provide military and civilian assistance to enable Ukraine to defend its sovereignty, independence and territorial integrity in the face

of the aggression by the Russian Federation, bilaterally through agreements and through the institutions and organisations to which it is a party.

5. Ukraine agrees that the military support provided by Spain will only be used in compliance with the UN Charter and in strict accordance with all relevant obligations of both Participants under international law.
6. Spain will provide support in strengthening the institutional capacity of the security and defence institutions of Ukraine, including advice on defence governance and policies.
7. The Participants share the aim of establishing modern, interoperable and sustainable Ukrainian security and defence forces. The Participants will work together on ensuring a sustainable force capable of defending Ukraine now and deterring future aggressions, through the continued provision of security assistance, including exploring options for assistance in the constituting of strategic stockpiles.
8. Spain supports the Ukraine Future Forces Initiative and has joined several Capability Coalitions in the framework of the Ukrainian Defence Contact Group (UDCG), such as “Integrated Air and Missile Defence”, “Artillery”, “Armour”, “Maritime Security”, “IT” and “Demining”. The Capability Coalitions will improve the interoperability of Ukrainian and NATO forces.
9. Through the Capability Coalitions, as a preferred framework, and beyond when applicable, Spain will support the development of the security and defence forces of Ukraine and will funnel the required assistance, particularly in the following domains:
 - a) Providing available modern military equipment within means and capabilities, across land, air, sea, space and cyber-electromagnetic domains, prioritizing Ukraine’s key capability needs.
 - b) Working together to common concepts and operational procedures, particularly enhancing interoperability with our European and Euro-Atlantic Partners.
 - c) Supporting education and training across all capability coalitions’ domains within the scope of individual and collective combat training, including, but not limited to, train-the-trainer programmes, and technical and logistic training for the systems provided.
 - d) Working together to improve the combat training, including Ukrainian battlefield lessons learned feedback and training indicators about the current training system.
 - e) Supporting medical training and prosthetics, including continuing the provision of medical treatment for Ukrainian soldiers seriously injured.
 - f) Supporting Ukraine in effectively handling challenges and threats to its maritime security within the framework of the Maritime Security Capability Coalition.
 - g) Contributing to strengthening Ukrainian maritime security capabilities, particularly in the field of mine countermeasures and the security of maritime

communication lanes, essential to ensure safe and secure transit of food from Ukraine worldwide.

10. The Participants will hold annual senior-level Strategic Defence and Security Policy Dialogue, in order to foster detailed and constructive discussions on military security, defence industry development and assistance and other key areas of mutual interest, including (but not limited to) in the format of regional organizations.

Addressing chemical, biological, radiological, and nuclear (CBRN) risks

1. The Participants aim to broaden their ongoing bilateral collaboration to bolster resilience against nuclear, biological, and chemical threats. Spain will explore opportunities to assist Ukraine in enhancing its civil protection capabilities and resilience to CBRN-related risks.

Cooperation in the security and intelligence spheres

1. The Participants will cooperate in strategic communication and in the fight against Russian and any other manipulation of information with the aim to improve Ukraine's capabilities to counter such malign activities, including propaganda and disinformation campaigns. The Participants will seek to continue to strengthen their information security cooperation and support each other's efforts to counter Russian digital interference, manipulation of information, and propaganda globally.
2. Spain and Ukraine will provide exchange of experience and promote the development of joint educational and training programmes for information integrity professionals.
3. The Participants will continue and enhance the cooperation between their respective intelligence and counterintelligence services. This includes, but is not limited to, strengthening information and intelligence sharing, and exchanging best practices and lessons learned.
4. Spain and Ukraine will intensify cooperation in the area of countering international terrorism by strengthening information exchange and conducting regular consultations and working meetings, take measures to identify channels for terrorism financing, including through the use of non-bank systems or cryptocurrency.
5. Spain and Ukraine will work together to enable Ukraine to prevent, detect and disrupt any cyber aggression, cyber espionage, including through greater cyber resilience and digital critical infrastructure protection from cyber-attacks through the provision of technical assistance to Ukraine. The Participants will work together to raise the cost of the irresponsible use of cyber capabilities by the Russian Federation and other hostile state and non-state actors against the Participants. They will also increase their bilateral operational cooperation in the fight against cybercrime, and Ukraine's cooperation with EU and NATO structures on cybersecurity.

Cooperation in the field of fight against crime

1. The Participants, through their respective Ministries of the Interior, will continue their close collaboration based on the Agreement between the Kingdom of Spain and Ukraine on Cooperation in the Fight Against Crime signed in Kyiv on 7 November 2001, by facilitating dialogue, exchange of experiences and best practices between experts from both countries. Under this framework, Spain has already taken substantive actions, e.g. the deployment in December 2022 of a Spanish police team in Ukraine to support the war crimes investigations of the Office of the Prosecutor General of Ukraine or the provision of specific training in Spain to the National Police of Ukraine.
2. In 2024, Spain's Ministry of the Interior will donate to Ukraine technological materials and means of transportation worth more than EUR 1,5 million in order to strengthen Ukraine's operational capabilities in the fight against organized crime and human and weapons trafficking, which constitute serious threats to the security of both countries.
3. The Participants will cooperate to combat serious and organized crime (SOC). Such cooperation may include, but is not limited to, joint activities, information sharing and analysis. Where appropriate, working meetings will be held to prepare and assist each other in the implementation of coordinated measures.

Defence industry cooperation

1. The Participants recognise the importance of the cooperation of defence industries. The Participants will cooperate to identify and implement opportunities for closer defence industrial partnerships involving Spanish and Ukrainian defence industries.
2. Spain will work with Ukraine to reduce existing barriers for cooperation, to encourage its defence industry to boost its production as necessary and to partner with Ukrainian businesses, taking into account its legitimate interests and the general security situation, including by exploring opportunities for joint production.
3. The Participants will work together to address existing defence materiel supply chain bottlenecks impeding developing the capacity and capability of both Spain and Ukraine for manufacturing priority weapons and ammunition. The Participants will cooperate to prevent the diversion and the illegal circulation of defence materiel provided to Ukraine.
4. Spain will cooperate with Ukraine to identify possible funding instruments required to enable the development of Ukraine's defence industrial base, which might include exploring ways to providing for Spanish investment and financial assistance, in particular in time of war and post-war recovery, taking into account the European Defence Industry Strategy.
5. Spain will explore options to contribute to Ukraine's defence industry needs, which will include investments into new capacity, contracting of critical materials for

ammunition manufacturing and procuring part of the Ukraine's defence industry output for the security and defence forces of Ukraine.

6. The Participants will work together to ensure the protection of any transferred technologies and intellectual property rights.
7. Spain will support Ukraine's efforts to integrate its defence industry into NATO and the EU defence and security frameworks. In particular, Spain will support Ukraine's defence industry integration into the European defence technological and industrial base in line with the European Defence Industrial Strategy and European Defence Industry Programme. Spain also will support Ukraine in aligning its standards to improve interoperability with the EU and NATO partners.
8. Spain and Ukraine will consider ways to enable Ukraine's defence industry to further contribute to restoring Ukraine's territorial integrity, and to act as a major driver in economic recovery.

III. CIVIL COOPERATION

Humanitarian assistance

1. Since February 2022, Spain has allocated more than EUR 46 million to address the humanitarian consequences of the war against Ukraine, including support for neighbouring countries that have had to care for a high number of temporarily displaced Ukrainian citizens. This is the largest humanitarian aid package that Spain has ever allocated to a single country.
2. Spain will continue its assistance to fulfil the immediate humanitarian needs of the Ukrainian people in the face of the armed aggression by the Russian Federation.
3. Spain is committed to maintaining its humanitarian assistance to Ukraine for as long as needed, in particular in the sectors of protection of the most vulnerable groups and the fight against gender-based violence, health, including sexual and reproductive health and rights, food security and nutrition, and education. Ukraine will remain as one of the priorities for the Spanish humanitarian action. As such, in the period leading to 2030, Spain will increase the humanitarian budget allocated to Ukraine in proportion to the general increase in its cooperation budget, in accordance with its Law on Sustainable Development and International Solidarity.
4. Spain will continue helping more than 200.000 temporarily displaced Ukrainian citizens currently residing in Spain under temporary protection status under the Spanish and the European Union regulations, which include free work permits and access to the Spanish health and education systems.
5. The Participants acknowledge Spain's contribution to mitigate the global economic effects of the Russian aggression against Ukraine, in particular in the field of global food security, where Spain has pledged more than EUR 250 million and by promoting and supporting initiatives like the Spanish Plan against Food Insecurity, the EU-Ukraine Solidarity Lanes or the Grain from Ukraine Humanitarian Program.

Support to Ukraine's reform agenda. European and Euro-Atlantic integration.

1. The Participants reaffirm that a comprehensive reform process is indispensable for Ukraine's European and Euro-Atlantic aspirations as well as for its future security and prosperity, its democracy, and the resilience of its institutions.
2. Spain will cooperate in helping Ukraine making the necessary reforms in order to reach its European and NATO aspirations, including by supporting Ukraine's accession to the EU and interoperability with NATO.
3. Spain welcomes the decision, adopted by the EU under the Spanish Presidency of the Council of the European Union, to open accession negotiations with Ukraine and commends the substantial progress that Ukraine has made towards meeting the objectives underpinning the accession process. The Participants reaffirm that Ukraine is part of the European family and its future is in the EU.
4. Spain reaffirms its intention to fully support the objective of Ukraine's accession to the European Union, and will be ready to provide technical support to Ukraine for the implementation of the reforms relevant to such a process of accession.
5. Ukraine will continue its ambitious reform process with a particular focus on the areas set out in the European Commission's accession recommendations of 8 November 2023, most notably justice, the rule of law, decentralisation, fight against corruption and money laundering, security sector and state management which underscore Ukraine's commitment to democracy and the rule of law, respect for human rights and fundamental freedoms.
6. The Participants reaffirm that Ukraine's security is integral to Euro-Atlantic and global security. The Participants recall that Ukraine's future is in NATO and decide to coordinate and strengthen joint efforts to support Ukraine's aspirations for future accession to NATO.

Ukraine's recovery and reconstruction

1. Spain is committed to actively participate in the recovery and reconstruction of Ukraine. Ukraine and Spain agree to join efforts in this regard, both bilaterally and in multilateral fora, including the Multi-Agency Donor Coordination Platform. It is important to lay the ground for an ambitious and long-term engagement based on a transparent and inclusive national reconstruction architecture that will create opportunities and enable the Ukrainian people to rebuild their country and their economy, reduce its dependencies and vulnerabilities and build a more solid, innovative, sustainable and resilient economic and industrial base, particularly in the context of negotiations for the accession of Ukraine to the European Union.
2. Spain has already committed more than EUR 400 million in loans and grants for the social and economic resilience and the reconstruction of Ukraine, through multilateral institutions such as the European Bank for Reconstructing and Development, the World Bank and the European Investment Bank. Spain will

contribute to the development of Ukraine's critical infrastructure protection capabilities, resilience and projects of reconstruction and restoration of critical infrastructure of Ukraine. The Participants will explore launching joint educational and training programs for specialists with a view to exchanging knowledge and best practices as well as support Ukrainian experts' access to relevant international programmes and projects on its territory and in partner countries.

3. Ukraine considers Spain and Spanish companies as primary partners in reconstruction, in particular in the infrastructures, engineering, construction, energy, transportation, capital goods, health and digital sectors. Engaging all relevant partners, including the private sector as well as national and international organizations and financial institutions with the aim of securing the financial support, investments, capacities and knowledge needed, is essential to ensure a swift and sustainable reconstruction process and a prosperous future for Ukraine.
4. Spain, together with its international and European partners and in close coordination with relevant international organisations and international financial institutions, will continue to support Ukraine throughout its path from early to long-term recovery, with these efforts being aligned with Ukraine's European perspective and its status as an EU candidate country. Spain will make a new contribution of EUR 15 million to Ukraine and Moldova, in particular through the Special Program for Ukraine and Moldova Recovery of the World Bank.
5. Spain will continue to support Ukraine in rebuilding and improving its energy system, with a focus on sustainability and green initiatives. This includes working together on projects to enhance energy efficiency, promote resilience, and advance in areas of science, research, innovation, education and technology. Additionally, the partnership will create opportunities for re-training and study programs to establish new job opportunities in the energy sector for Ukraine.
6. Spain will maintain its support to the reconstruction of Ukraine with an emphasis on "building back better", specifically aiming at reducing the energy dependence and vulnerability and advancing in the green transition of the country, through the engagement in development projects focused on energy efficiency and resilience and specifically, in accordance with the 2021 Memorandum of Understanding between the Spanish and Ukrainian hydrogen associations, steps will be taken towards decarbonisation. The Participants will explore possibilities for collaboration for Ukraine to produce renewable hydrogen and export it to Europe, and for Spain to supply technology, equipment and hydrogen production plants to Ukraine.
7. The Participants will redouble their collaboration to foster railway connections, and acknowledge that this collaboration produces a double dividend by contributing to reconstruction of Ukraine and fostering its green transition. Specifically, the Participants will seek avenues of collaboration in the field of automatic track gauge change technology, thereby improving Ukraine's connectivity with the rest of Europe.

8. Humanitarian demining remains essential to achieve normality in Ukraine. Spain remains committed to humanitarian demining aiming to the complete clearance of the entire territory of Ukraine from mines and explosive devices and substances, and will therefore maintain its current support to the humanitarian demining action, including through a Spanish contribution of EUR 1.5 million to UNDP for humanitarian demining in Ukraine.
9. The Participants underline the importance of the involvement of the private sector as well as of civil society, regions and municipalities as drivers of an ambitious, inclusive, decentralised reconstruction process. The Participants aim to promote business-to-business as well as civil society exchanges between the two countries. Spain will implement its commitment made in 2023 of EUR 50 million in concessional loans and an additional EUR 1 million grant, in partnership with the World Bank's International Finance Corporation (IFC), to support private sector resilience through the Ukrainian banking system and through co-investments in Ukrainian companies.
10. The existing Ukrainian-Spanish Joint Intergovernmental Commission on Economic and Industrial Cooperation will follow up on the issues related to Ukraine's recovery and reconstruction on its regular meetings, without prejudice of the current coordinating role in Spain of the Spanish Development Cooperation Agency.

IV. RESTORATION OF JUSTICE

A Just Peace

1. The Participants will continue to work together towards obtaining a just and lasting peace that is respectful with international law and the principles and purposes of the UN Charter, based on the principles of Ukraine's Peace Formula.
2. Spain welcomes and will continue to support Ukraine's Peace Formula, including the future Peace Summit with wide international support.
3. Spain, in the context of its special relations with European, Mediterranean, Latin American and African partners, among others, will continue reaching out to the international community in order to encourage other countries to actively support and engage in the implementation of Ukraine's Peace Formula, including in the inaugural Peace Summit.

Sanctions

1. The Participants will continue working to ensure that the costs to Russia for its aggression continue to rise, including through sanctions and export controls. The Participants reiterate the need to maintain collective pressure on Russia through sanctions to weaken Russia's access to the finance, goods, technology and services it is utilising in its aggression, as well as Russia's ability to continue its illegal war of aggression and to deter future acts of aggression.
2. Efforts to ensure the effective implementation of sanctions, to counter circumvention and to avoid unwanted effects must be strengthened, in line with the

efforts made in the relevant EU restrictive measures' packages. Proper consideration must also be given to the global negative effects of Russia's war of aggression, including in the field of food security.

3. Spain remains committed, within the European framework, to pursuing robust sanctions against sectors of the Russian economy and those in the Russian Federation and outside who are supporting or profiting from the war, or assisting in sanctions circumvention in third countries. Spain will also take determined action with partners to tackle all forms of sanctions circumvention.
4. The Participants will exchange information as appropriate on their work on the grounds of sanctions imposed, in compliance with relevant international obligations and national laws.

Accountability

1. The Participants underline their firm commitment to bring to justice those responsible for war crimes and other international crimes committed in connection with Russia's war of aggression against Ukraine in violation of the UN Charter.
2. Spain will continue to support the work of the Office of the Prosecutor General of Ukraine and the International Criminal Court to ensure allegations of war crimes and other international crimes are fully and fairly investigated by independent, effective and robust legal mechanisms.
3. The Participants reaffirm their determination to support the establishment of appropriate justice mechanism, backed by broad international support, to ensure full and effective accountability for the crime of aggression against Ukraine, and that Russia must be held fully accountable, including by making reparations for any damage caused, which will also help deter future attacks and support Ukraine's recovery.
4. The Participants will continue their engagement in the "Core Group on options for the establishment of a tribunal on the crime of aggression against Ukraine".

Compensation for damage, loss or injury caused by Russian aggression

1. The Participants reaffirm that the Russian Federation is to be held accountable for the damages and losses to individuals and entities, as well as to Ukraine, inflicted on the Ukrainian territory and should pay for the long-term reconstruction of Ukraine. In the meantime, consistent with Spain's legal system and in accordance with the EU and international law, Russian sovereign assets in Spain's jurisdiction remain immobilised as required by EU sanctions. Spain and Ukraine will continue to work together with others towards the establishment of a compensation mechanism to provide compensation for damage, loss or injury caused by the Russian aggression, and to explore lawful routes consistent with applicable contractual obligations and in accordance with EU and international law through which Russian assets could be used for the benefit of Ukraine.
2. The Participants recognize the need for the establishment of a compensation mechanism to provide compensation for damage, loss or injury caused by Russia's

aggression, as envisaged by the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine adopted by the Resolution of the Committee of Ministers of the Council of Europe CM/Res(2023)3. In this regard, the Participants will explore appropriate options for the financing of a compensation mechanism to provide prompt and adequate compensation to victims of the aggression.

V. COOPERATION IN THE EVENT OF FUTURE ARMED ATTACK

1. In the event of future Russian armed attack against Ukraine, at the request of either of the Participants, the Participants will consult within 24 hours, bilaterally or via other channels they both deem suitable, to determine appropriate next steps.
2. Spain affirms that in those circumstances and acting in accordance with its legal and constitutional requirements and with international and EU law, it would provide Ukraine as appropriate, with swift and sustained security, economic assistance and available military equipment, seek agreement in the EU to impose economic and other costs on Russia, and consult with Ukraine on its needs as it exercises its right of self-defence enshrined in Article 51 of the UN Charter.
3. In order to ensure the widest and most effective collective response to any future armed attack Spain and Ukraine may amend these provisions in order to align with any mechanism that Ukraine may subsequently agree with its other international partners.
4. The Participants will continue to consult, as appropriate, throughout Russia's ongoing war of aggression.

VI. IMPLEMENTATION OF COOPERATION

1. The Participants will implement this Agreement in accordance with their international and national obligations, as well as Spain's European Union commitments.
2. The Participants will, if necessary, designate authorised bodies for the development and implementation of bilateral agreements in accordance with the areas of cooperation specified in this Agreement.

VII. TIMEFRAME AND OTHER PROVISIONS

1. This Agreement is valid for ten (10) years from the date of its signature.
2. The Participants intend this Agreement to remain in effect as Ukraine pursues its aspirations to join NATO.
3. In the event that Ukraine becomes a member of NATO before the expiry of this Agreement, the Participants will decide on its future status.

4. The Participants can jointly decide to extend this Agreement through notification no later than six (6) months prior to the lapse of the ten-year period.
5. This Agreement may be amended and supplemented, including by adding annexes thereto, by mutual consent of the Participants, which will be made in writing.
6. This Agreement will come into effect immediately upon signature.
7. This is a non-normative agreement, and is regulated in Spain by title IV of Law 25/2014, of November 27, on Treaties and other International Agreements. The expenses that may be generated by the commitments assumed by the Participants in this Agreement will be subject to ordinary budget availability and in accordance with current legislation.
8. Any disputes between the Participants arising out of the interpretation and/or implementation of the Agreement shall be settled through negotiation or consultation between the Participants.
9. This Agreement may be terminated by either Participant at any time. Either Participant should inform the other Participant by giving written notice to the other at least six (6) months prior.
10. The termination of this Agreement will not necessarily affect the implementation of ongoing activities or projects, which have been decided prior to the date of its termination, unless either of the Participants decide otherwise.

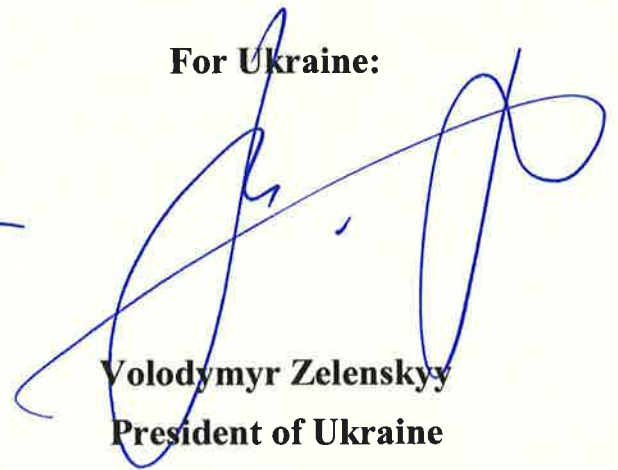
Signed in Madrid on 27 May 2024, in duplicate in English, Spanish and Ukrainian languages, all being equally valid, the English version of which shall prevail in the event of any discrepancy.

For Spain:



Pedro Sánchez Pérez-Castejón
President of the Government of
Spain

For Ukraine:



Volodymyr Zelenskyy
President of Ukraine