

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: # 2435 (phase 2).
2. COW Alliance # (if applicable): # 3094.
3. Signature date(s) (may vary for members in multilateral alliances):
July 29, 1940.
4. Members of alliance (use COW country codes):
235 Portugal
230 Spain.
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. (Protocol attached to treaty- does not require ratification)
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. The treaty will remain in force for 10 years (Art.5).
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. The treaty will be automatically extended subject to denunciation by either party on 6 months' notice (Art.5).
13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
September 20, 1948 for 10 years (Langer, 1972: 1185)
14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
November 22, 1977
15. Describe what caused the alliance to terminate.
Replaced by new agreement – Treaty of Friendship and Cooperation

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.)
Nonaggression Pact
Neutrality Pact
Consultation Pact,

17. Type of alliance as coded in COW data (if applicable): Neutrality/Nonaggression Pact.

18. Describe the obligations of the alliance partners.

Phase 1:

The two parties undertake to observe absolute respect of the frontiers and territories of the other party and not to commit any act of aggression or invasion against the other party. Any act of violence against the integrity and inviolability of the territory of either party even if it is not preceded by a declaration of war, will be held as contrary to the provisions of this article (Art.1). The parties undertake not to render aid or assistance to any aggressor or aggressors who may attack the other party, and in particular they will not permit any act of aggression or attack to be directed against the territories of the other party from within their territory, sea or by air (Art.2).

Phase 2:

Portugal and Spain agree and in virtue of this protocol undertake to concert together on the best means to safeguard as far as possible their mutual interests whenever it is established that circumstances may by their nature compromise the inviolability of respective metropolitan territories or constitute a menace to safety or the independence of one or other of the two parties (Protocol, Art.3). Either of the two parties can take the initiative to call the present agreement in operation if it is established or seems probable that the situation has arisen or may arise calculated to affect position referred to in the first paragraph of this protocol (Protocol, Art.4).

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)

Yes- attack

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

Neutrality is contingent upon attack.

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. The parties undertake not to (...) permit any act of aggression or attack to be directed against the territories of the other party from within their territory, sea or by air (Art.2).

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.

No.

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.

Yes.

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.

Yes. Each party undertakes not to enter into any pact or alliance directed against the other party or having its purpose aggression against the territory of the other party (Art.3).

28. Additional coder comments regarding treaty obligations:

This is the second phase of this alliance.

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.)
No.

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

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.
No.

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.
No.

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

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.

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.

No.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe.

No.

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.

No.

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: This is the second phase of the alliance. The first phase started on March 17, 1939.

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty.

59. Treaty citation: BFSP. vol. 143, p. 673 (original treaty) BFSP, vol.14, p.520 (protocol)

60. Date of last revision of this coding sheet: 02/13/05.

61. Coder: Andrew Long, Michaela Mattes, Ashley Leeds