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COUNCIL OF EUROPE
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Reciprocal travel facilities for the war disabled when travelling abroad by rail

Report
Social, Health and Family Affairs Committee
Rapporteur: Mr Karl MARK, Austria

Draft Recommendation

The Assembly,

Considering that, at its Eighth Ordinary Session (January 1957), the Assembly adopted Recommendation 118 (1957) on the conclusion of an Agreement concerning reciprocal travel facilities for the war-disabled when travelling abroad by rail, and that a draft Agreement to this effect was appended to the said Recommendation;

Considering that the Committee of Ministers, in the Supplementary Report to its Ninth Report to the Assembly (Doc. 863), informed the latter that it was unable t o give effect to the said Recommendation for the following reasons :

a. The International Union of Railr ways, having been consulted, stated that, apart from the practical difficulties of applying such an Agreement, the present financial situation of the Railway Administrators of the I. U. R. made it impossible for them, from the commercial standpoint, to view the proposed measure with favour;

b. If this measure were to be adopted by the public authorities, these Administrations would be obliged to ask for appropriate financial compensation to offset the loss of revenue which would occur;

c. Many Member Governments granted no facilities to the war-disabled of their own countries, and certain other Governments were reducing those which they had granted to their nationals in the past;

Being informed that the International Conference on Legislation concerning Veterans and War Victims, organised by the World Veterans Federation in The Hague in November 1958, examined this question both from the technical and the financial angle and made certain precise proposals for amendments to t h e draft Agreement appended to Recommendation 118 (1957), so as to render the draft Agreement more easily acceptable;

Being informed also that the International Union of Railways, consulted by the World Veterans Federation on the draft Agreement in its new form, stated that it saw no objection to this Agreement;

Being convinced that the question of reciprocal travel facilities for the war-disabled when travelling abroad by railway merits reconsideration on this basis,

Recommends to the Committee of Ministers :

1. to reconsider Recommendation 118 (1957);

2. to adopt an Agreement on the lines of the draft appended to this Recommendation, as proposed by the above-mentioned Conference;

3. to add to this draft a provision under which the Contracting Parties would undertake to facilitate the implementation of the Agreement for their own nationals.

Appendix APPENDIX

Draft Agreement concerning reciprocal travel facilities for the war-disabled ivhen travelling abroad by rail[1]

ARTICLE 1

The war-disabled, as defined in the legislation of each of the Member States shall, when they travel to and during their stay in one of those States, enjoy the reductions of or exemptions from railway fares which that State grants to its own war-disabled.

ARTICLE 2

The guide accompanying a war-disabled person unable to move about alone, or who has difficulty moving about alone, shall enjoy the exemptions or reductions granted by the regulations or legislation of the country concerned.

ARTICLE 3

The advantages specified in Articles 1 and 2 of the present Agreement shall be accorded upon presentation of a European document established by the administrations of the Member States and approved by the Governments, and stating that the holder, whether war-disabled person or guide, enjoys the benefits of t h e provisions of the present Agreement.

ARTICLE 4

The war-mutilated and war-disabled who are not entitled to amj reductions in fare in their own country may not apply for the benefits of the present Agreement.

ARTICLE 5

The difference between the reduced fare resulting from the application of Articles 1 and 2 of the present Agreement and the normal fare shall be borne by the Governments of the countries of origin of the beneficiaries.

ARTICLE 6 (former Article 4)

The laws and regulations in force in the territories of the Contracting Parties and to which the present Convention applies, and the reservations formulated by Contracting Parties, are set forth in Annex I and Annex II respectively.

ARTICLE 7 (former Article 5)

The present Agreement shall be open to the signature of the Members of the Council of Europe who may accede to it either by :

1. signature without reservation in respect of ratification;
2. signature with reservation in respect of ratification.

Instruments of ratification shall be deposited with the Secretary-General of the Council of Europe.

ARTICLE 8 (former Article 6)

The present Agreement shall enter into force on the first day of the month following the date on which three Members of the Council shall, in , accordance with Article 7, have signed the Agreement without reservation in respect of ratification or shall have ratified it.

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1. The proposed amendments are printed in italics.

In the case of any Member of the Council who subsequently shall sign the Agreement without reservation in respect of ratification, or who shall ratify it, the Agreement shall enter into force on the first day of the month following such signature or deposit of the instrument of ratification.

ARTICLE 9 (former Article 7)

The Committee of Ministers of the Council of Europe may invite any non-Member State to accede to the present Agreement. Such accession shall take effect on the first day of the month following the deposit of the instrument of accession.

ARTICLE 10 (former Article 8)

The Secretary-General of the Council of Europe shall notify Members of the Council :

a. of the date of entry into force, of this Agreement and shall give the names of any Members who have signed without reservation in respect of ratification or who have ratified it;

b. of the deposit of any instrument of accession il accordance with Article 9;

c. of any modification received in accordance with Article 11 and its effective date.

ARTICLE 11 (former Article 9)

The present Agreement shall remain in force indefinitely.

Any Contracting Party may terminate its own application of the Agreement by giving one year's notice to that effect to the Secretary- General of the Council of Europe.

In witness whereof the undersigned, being duly authorised to that effect, have signed the present Agreement.

Done at - (date)