Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Draft European Cultural Convention

Request for an opinion
Committee of Ministers

Letter from the Secretary-General to the President of the Assembly

Monsieur le Président,

In its Fifth Report to the Assembly in May, 1954 the Committee of Ministers stated that it would transmit to the Assembly for its opinion the draft European Cultural Convention when the Governments had reached agreement on the text.

The text prepared by the committee of experts having now been approved by all Member Governments, the Committee of Ministers has instructed me to transmit it to you with the request for the opinion of the Assembly thereon.

I am, Sir,

Your most obedient Servant,

(Signed) Léon MARCHAL Secretary-General

Appendix

Draft European Cultural Convention

The Governments signatory hereto, being Members of the Council of Europe,

Considering that the adm of the Council of Europe is to achieve a greater unity between its Members for the purpose, among others, of safeguarding and realising the ideals and principles which are their.common heritage;

Considerin g that the achievement of this aim would be furthered by a greater understanding of one another among the peoples of Europe ;

Considering that for these. purposes it is desirable not only to conclude bilateral cultural conventions between Members of the Council but also to pursue a policy of common action designed to safeguard and encourage the development of European culture ;

Having resolved to conclude a general European Cultural Convention designed to foster among the nationals of all Members, and of such other European States as may accede thereto, the study of the languages, history and civilisation of the others and of the civilisation which is common to them all,

Have agreed as follows :

Article 1

Each Contracting Party shall take appropriate measures to safeguard and to encourage the development of its national contribution to the common cultural heritage of Europe.

Article 2

Each Contracting Party shall, insofar as may be possible,

a. encourage the study by its own nationals of the language, history and civilisation of the other Contracting Parties and grant facilities to those Parties to promote such studies in its territory ; and

b. endeavour to promote the study of its language or languages, history and civilisation in the territory of the ' other Contracting Parties and grant facilities to the nationals of those Parties to pursue such studies in its territory.

Article 3

The Contracting Parties shall consult with one another within the framework of the Council of Europe with a view to concerted action in promoting cultural activities a European interest.

Article 4

Each Contracting Party shall, insofar as may be possible, facilitate the movement and exchange of persons as well as of objects of cultural value so that Articles 2 and 3 may be implemented.

Article S

Each Contracting Party shall regard the objects of European cultural value placed under its control as integral parts of the common cultural heritage of Europe, shall take appropriate measures to safeguard them and shall ensure reasonable access thereto.

Article 6

1. Proposals for the application of the provisions of the present Convention and questions relating to the interpretation thereof shall bo considered at meetings of the Committee of Cultural Experts of the Council of Europe.

2. Any State not a member of the Council of Europe which has acceded to the present Convention in accordance with the provisions of paragraph 4 of Article 9 may appoint a, representative or representatives to participate in tho meetings provided for in the preceding paragraph.

3. The conclusions reached at the meetings provided for in paragraph 1 of this Article shall be submitted in the form of recommendations to the Committee of Ministers of the Council of Europe, unless they are decisions which are within the competence of the Committee of Cultural Experts as relating- to matters of an administrative nature which do not entail additional expenditure.

4. The Secretary-General of the Council of Europe shall communicate to the Members of the Council and to the Government of any State which has acceded to the present Convention any decisions relevant thereto which may be taken by the Committee of Ministers or by the Committee of Cultural Experts.

5. Each Contracting Party shall notify the Secretary-General of the Council of Europe in due course of any action which may be taken by it for the application of the provisions of the present Convention consequent on the decisions of the Committee of Ministers or of the Committee of Cultural Experts.

6. In the event of certain proposals for the application of the present Convention being found to interest only a limited number of the Contracting Parties, such proposals may be further considered in accordance with the provisions of Article 7, provided that the implementation of them entails no expenditure by the Council of Europe.

Article 7

If, in order to further the aims of the present Convention, two or more Contracting Parties desire to arrange meetings at the Seat of the Council of Europe other than those specified in paragraph 1 of Article 6, the Secretary- General of the Council shall afford them such administrative assistance as they may require.

Article 8

Nothing in the present Convention shall be deemed

a. to affect the provisions of any existing bilateral, cultural convention to which any of the Contracting Parties may be. signatory or to render less desirable the conclusion of any further such Convention by any of the Contract- in g Parties ;

b. to affect the obligation of any person to comply with the laws and regulations in force in the territory of any Contracting Government concerning the entry, residence and departure of foreigners.

Article 9

1. The present Convention shall be open to the signature of the Members of the Council of Europe. It shall be ratified, and the instru ments of ratification shall be deposited with the Secretary-General of the Council of Europe.

2. As soon as three signatory Governments have deposited their instruments of ratification, the present Convention shall enter into force as between those Governments.

3. With respect to each signatory Government ratifying subsequently, the Convention shall enter into force on the date of deposit of its instrument of ratification.

4. The Committee of Ministers of the Council of Europe may decide, by a unanimous vote, to invite, upon such terms and conditions as it deems appropriate, any European State which is not a Member of the Council to accede to the present Convention. Any State so invited may accede by depositing its instrument of accession with the Secretary-General of the Council of Europe, which shall take effect oil the date of its receipt.

5. The Secretary-General of the Council of Europe shall notify all Members of the Council of Europe and any acceding States of the deposit of all instrument of ratification and accession.

Article 10

Any Contracting Party may specify the territories to which the provisions of the present Convention shall apply by addressing to the Secretary-General of the Council of Europe a declaration which shall be communicated by the latter to all the other Contracting Parties.

Article 11

1.Any Contracting Party may denounce the present Convention at any time after it has been in force for a period of five years by means of a notification in writing addressed to the Secretary-General of the Council of Europe, who shall inform the other Contracting Parlies.

2. Such denunciation shall take effect for the Contracting Parly concerned six months after the dale on which if is received by the Secretary-General of the Council of Europe.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the present Convention.

Done at this day of

in the English and French languages, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory and acceding Governments.