

Special Agreement relating to the Seat of the Council of Europe (Paris, 2 September 1949)

Caption: Special Agreement relating to the Seat of the Council of Europe, signed in Paris on 2 September 1949 between the Council of Europe and the Government of the French Republic.

Source: Council of Europe = Conseil de l'Europe = Europarat. Europäische Verträge = European treaties = Traités européens. Volume I (1-84, 1949-1974). Strasbourg: Council of Europe Publishing = Editions du Conseil de l'Europe = Europarat Verlag, 1998. 1161 p. ISBN 92-871-3367-0.

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Special Agreement relating to the Seat of the Council of Europe (Paris, 2 September 1949)

The Council of Europe and the Government of the French Republic,

Desiring to conclude an agreement in fulfilment of Articles 11 and 40, paragraph b, of the Statute of the Council of Europe;

Having regard to the General Agreement on Privileges and Immunities signed between the member States of the Council of Europe on September 2nd, 1949, at Paris,

Have appointed as their representatives;

The Council of Europe:
Mr J.-C. Paris, Secretary General

and

The Government of the French Republic:
Mr R. Schuman, Minister for Foreign Affairs,

who have agreed as follows:

Article 1

Except as otherwise provided in this Agreement or in the General Agreement on Privileges and Immunities, French law shall apply within the premises and buildings of the Council of Europe at its seat.

Article 2

The Council of Europe may issue regulations applicable within its building and premises for the purpose of the fulfilment of its objects.

Article 3

The buildings and premises of the Council are inviolable. French police or officials shall not enter the said buildings and premises in the exercise of their duties except with the consent of, and in the conditions agreed by, the Secretary General.

Without prejudice to the provisions of the General Agreement on Privileges and Immunities, the Council shall ensure that the buildings and premises of the Council shall not become the refuge either of persons attempting to evade arrest under a warrant issued by the French authorities or of persons seeking to avoid the execution of the legal process.

Article 4

The Council may expel from, or exclude from entry into, its buildings and premises any person, either for violation of regulations adopted under Article 2, or for any other reason.

Article 5

The French authorities shall not interfere with the access to the seat of the Council of:

a. representatives of Members on the Committee or on the Assembly or officials of the Council or the families of these persons;

- b. experts carrying out missions on behalf of the Council;
- c. representatives of the press, radio, cinema and all other information services who are properly accredited and provided with valid travel documents recognised by the Council in agreement with the French Government; or
- d. other persons invited by the Council to assist its work.

Article 6

Such visas as may be necessary for the journeys of the persons mentioned in Article 5 shall be granted as quickly as possible.

The provisions of Article 5 shall not prevent the application of the French regulations regarding the residence of aliens to any of the persons mentioned in the said article who have abused the privileges provided for by that article by engaging in French territory in undesirable activities unconnected with their official duties or, in the case of the persons referred to in paragraph c of that article, have committed acts incompatible with the loyalty which they owe to the Council to which they are accredited or with the code of honour of the profession to which they belong.

Article 7

The competent French authorities shall station outside the buildings and premises of the Council of Europe sufficient police for their protection.

On the request of the Secretary General, the competent French authorities shall furnish sufficient police to maintain order inside these buildings and premises in accordance with the requirements of the Secretary General.

Article 8

For the purpose of facilitating the application of the provisions of this Agreement the Secretary General may conclude detailed agreements direct with the competent French authorities.

Article 9

The Council of Europe shall be responsible for any damage to the buildings and furniture placed temporarily at its disposal by the French Government.

Article 10

In the present Agreement the expression "buildings and premises" includes the buildings and the groups, courtyards and gardens attached thereto which are used by the Council, whether the Council is the owner or tenant thereof or occupies them without payment.

Article 11

The present Agreement shall be brought into force by an Exchange of Notes between the Secretary General, duly authorised thereto by a resolution of the Committee of Ministers, and a representative of the French Government, duly empowered for this purpose. Certified copies of this Exchange of Notes shall be transmitted to members.

In witness whereof the respective representatives have signed the present Agreement.

Done at Paris, this 2nd day of September 1949.

For the Government of the French Republic:
R. Schuman

For the Council of Europe:
J.-C. Paris