



November 2018

EUROPEAN CULTURAL CONVENTION of 19 December 1954
(ETS No. 18, entered into force on 5 May 1955)

Subject: Accession by European States which are not member States of the Council of Europe

I. Participation in the European Cultural Convention is not exclusively limited to member States of the Council of Europe. The Convention is also open for accession by other European non-member States, provided that they have been formally invited to accede by the Committee of Ministers of the Council of Europe. The relevant provision of the European Cultural Convention - Article 9, paragraph 4 - reads as follows:

“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. Such accession shall take effect on the date of receipt of the said instrument.”

II. The procedure for the accession of a European State which is not a member of the Council of Europe may be summarised as follows:

1. In principle, the Committee of Ministers may take the initiative of inviting a non-member State to accede to a specific Convention. It is nevertheless customary for the non-member State to request accession in a letter addressed to the Secretary General of the Council of Europe. The letter should be signed by the Minister for Foreign Affairs or a diplomatic representative acting upon instructions of his or her government (see [Model application for accession to a treaty](#)).
2. In accordance with the Council of Europe's practice and before formally inscribing the point on the agenda of the Committee of Ministers, the Secretariat consults at the same time all member States of the Council of Europe, whether they are Parties or not to the Convention, and Parties to this Convention, that are not member States, on the request of invitation.
3. Requests for accession to a Council of Europe convention are examined by the Committee of Ministers' Rapporteur Group on Legal Co-operation (GR-J) and, then, by the Committee of Ministers. In the case of the European Cultural Convention, the decision on whether or not to issue an invitation has to be unanimously agreed by those Council of Europe members which have ratified the Convention. This decision is usually taken at the level of the Ministers' Deputies. Then, an invitation to accede to the Convention is notified to the State concerned by the Secretariat General.
4. It must be noted that the Committee of Ministers decided, in April 2013, to limit the validity of invitations of non-member States to accede to conventions to a period of five years.

5. The instrument of accession is deposited at the seat of the Council of Europe in Strasbourg, in the presence of a representative of the acceding State and of the Secretary General of the Council of Europe or his Deputy. The representative of the acceding State brings with him or her the instrument of accession and a procès-verbal of deposit is signed by both parties. Should it prove difficult for the acceding State to send a representative to Strasbourg, the instrument of accession may be sent by diplomatic courier. Deposit of the instrument of accession is notified to all concerned, accordingly to Article 9 of the Convention.

6. Article 9, paragraph 4, of the European Cultural Convention provides that the Convention shall enter into force on the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

7. The instrument of accession and any reservation or declaration appended to it shall be accompanied by a translation into one of the official languages of the Council of Europe (English or French). It is important to stress that, subject to the applicable provisions of each treaty and in line with the 1969 Vienna Convention on the Law of Treaties, any reservations or declarations are to be made when depositing the instrument of accession. For reasons of legal certainty and in order to ensure the uniform implementation of conventions, reservations may not be made at any later date.

8. Non-member States of the Council of Europe which are Parties to the European Cultural Convention may currently, without prior invitation of the Committee of Ministers, become Parties to the following conventions:

- European Agreement on continued Payment of Scholarships to students studying abroad (ETS No. 69);
- European Convention on Transfrontier Television (ETS No. 132);
- Anti-Doping Convention (ETS No. 135) and Additional Protocol (ETS No. 188);
- European Convention on the General Equivalence of Periods of University Study (ETS No. 138);
- European Convention on the Protection of the Archaeological Heritage (Revised) (ETS No. 143);
- European Convention on Cinematographic Co-Production (ETS No. 147);
- European Convention relating to questions on Copyright Law and Neighbouring Rights in the Framework of Transfrontier Broadcasting by Satellite (ETS No. 153);
- European Convention on the Promotion of a Transnational Long-Term Voluntary Service for Young People (ETS No. 175);
- European Convention on the Legal Protection of Services based on, or consisting of, Conditional Access (ETS No. 178);
- European Convention for the protection of the Audiovisual Heritage (ETS No. 183) and Protocol on the protection of Television Productions (ETS No. 184);
- Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215);
- Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No. 218);
- Council of Europe Convention on Cinematographic Co-Production (revised) (CETS No. 220).

../..

A State Party to the European Cultural Convention is also entitled to become a member of the following partial agreements, without prior invitation of the Committee of Ministers:

- European Centre for Global Interdependence and Solidarity (North-South Center);
- Partial Agreement on the Youth Card for the Purpose of Promoting and Facilitating Youth Mobility in Europe;
- Enlarged partial Agreement establishing the European Centre for Modern Languages (Graz Centre);
- Enlarged Partial Agreement on Sport (EPAS);
- Enlarged Partial Agreement on Cultural Routes.

III. The text of the Convention, the chart of signatures and ratifications and all declarations and reservations made with regard to it can be consulted on the website of the Council of Europe's Treaty Office on <http://conventions.coe.int>. Information concerning the Conventions and Partial Agreements listed are also available on this website.

For any further information, please contact the Treaty Office:

Treaty Office
Directorate of Legal Advice
and Public International Law (DLAPIL)
Council of Europe
F-67075 Strasbourg Cedex (France)
E-mail : treaty.office@coe.int