

2. AGREEMENT ON THE IMPORTATION OF EDUCATIONAL, SCIENTIFIC AND CULTURAL MATERIALS

Lake Success, New York, 22 November 1950

ENTRY INTO FORCE: 21 May 1952, in accordance with article XI.

REGISTRATION: 21 May 1952, No. 1734.

STATUS: Signatories: 29. Parties: 98.¹

TEXT: United Nations, *Treaty Series*, vol. 131, p. 25.

Note: The Agreement was approved by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fifth session, held at Florence from 22 May to 17 June 1950, in a resolution² adopted at the fourteenth plenary meeting on 17 June 1950.

<i>Participant</i> ^{1,3,4,5}	<i>Signature</i>	<i>Ratification, Acceptance(A), Succession(d)</i>	<i>Participant</i> ^{1,3,4,5}	<i>Signature</i>	<i>Ratification, Acceptance(A), Succession(d)</i>
Afghanistan.....	8 Oct 1951	19 Mar 1958	France	14 May 1951	14 Oct 1957
Armenia		23 Aug 2010 A	Gabon.....		4 Sep 1962 A
Australia.....		5 Mar 1992 A	Germany ^{7,8}		9 Aug 1957 A
Austria		12 Jun 1958 A	Ghana.....		7 Apr 1958 d
Barbados		13 Apr 1973 d	Greece.....	22 Nov 1950	12 Dec 1955
Belgium	22 Nov 1950	31 Oct 1957	Guatemala.....	22 Nov 1950	8 Jul 1960
Benin.....		18 May 2017 A	Guinea-Bissau.....	24 Sep 2013	
Bolivia (Plurinational State of).....	22 Nov 1950	22 Sep 1970	Haiti	22 Nov 1950	14 May 1954
Bosnia and Herzegovina ⁶		1 Sep 1993 d	Holy See		22 Aug 1979 A
Burkina Faso.....		14 Sep 1965 A	Honduras.....	13 Apr 1954	
Cambodia.....		5 Nov 1951 A	Hungary		15 Mar 1979 A
Cameroon.....		15 May 1964 A	Iran (Islamic Republic of).....	9 Feb 1951	7 Jan 1966
Colombia	22 Nov 1950		Iraq.....		11 Aug 1972 A
Congo.....		26 Aug 1968 A	Ireland.....		19 Sep 1978 A
Côte d'Ivoire		19 Jul 1963 A	Israel	22 Nov 1950	27 Mar 1952
Croatia ⁶		26 Jul 1993 d	Italy.....		26 Nov 1962 A
Cuba.....		27 Aug 1952 A	Japan		17 Jun 1970 A
Cyprus.....		16 May 1963 d	Jordan.....		31 Dec 1958 A
Democratic Republic of the Congo.....		3 May 1962 d	Kazakhstan.....		21 Dec 1998 A
Denmark		4 Apr 1960 A	Kenya.....		15 Mar 1967 A
Dominican Republic	22 Nov 1950		Kyrgyzstan.....		19 Jul 2005 A
Ecuador	22 Nov 1950		Lao People's Democratic Republic		28 Feb 1952 A
Egypt.....	22 Nov 1950	8 Feb 1952	Latvia.....		20 Nov 2001 A
El Salvador	4 Dec 1950	24 Jun 1953	Liberia.....		16 Sep 2005 A
Estonia		1 Aug 2001 A	Lithuania.....		21 Aug 1998 A
Fiji		31 Oct 1972 d	Luxembourg.....	22 Nov 1950	31 Oct 1957
Finland		30 Apr 1956 A	Madagascar.....		23 May 1962 A

<i>Participant^{1,3,4,5}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Succession(d)</i>	<i>Participant^{1,3,4,5}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Succession(d)</i>
Malawi.....		17 Aug 1965 A	Sierra Leone.....		13 Mar 1962 d
Malaysia.....		29 Jun 1959 d	Singapore.....		11 Jul 1969 A
Mali.....		16 Jul 2014 A	Slovenia.....		6 Jul 1992 d
Malta.....		19 Jan 1968 d	Solomon Islands.....		3 Sep 1981 d
Mauritius.....		18 Jul 1969 d	Spain.....		7 Jul 1955 A
Monaco.....		18 Mar 1952 A	Sri Lanka.....		8 Jan 1952 A
Montenegro ⁹		23 Oct 2006 d	Sweden.....	20 Nov 1951	21 May 1952
Morocco.....		25 Jul 1968 A	Switzerland ¹	22 Nov 1950	7 Apr 1953
Netherlands ¹⁰	22 Nov 1950	31 Oct 1957	Syrian Arab Republic....	7 Aug 1979	16 Sep 1980
New Zealand ¹¹	16 Mar 1951	29 Jun 1962	Thailand.....	22 Nov 1950	18 Jun 1951
Nicaragua.....		17 Dec 1963 A	Togo.....		16 Nov 2009 A
Niger.....		22 Apr 1968 A	Tonga.....		11 Nov 1977 d
Nigeria.....		26 Jun 1961 d	Trinidad and Tobago....		11 Apr 1966 d
North Macedonia ⁶		2 Sep 1997 d	Tunisia.....		14 May 1971 A
Norway.....		2 Apr 1959 A	Uganda.....		15 Apr 1965 A
Oman.....		19 Dec 1977 A	United Kingdom of Great Britain and Northern Ireland ^{5,12} ..	22 Nov 1950	11 Mar 1954
Pakistan.....	9 May 1951	17 Jan 1952	United Republic of Tanzania.....		26 Mar 1963 A
Peru.....	8 Jul 1964		United States of America.....	24 Jun 1959	2 Nov 1966
Philippines.....	22 Nov 1950	30 Aug 1952	Uruguay.....	27 Apr 1964	20 Apr 1999
Poland.....		24 Sep 1971 A	Venezuela (Bolivarian Republic of).....		1 May 1992 A
Portugal.....		11 Jun 1984 A	Viet Nam.....		1 Jun 1952 A
Republic of Moldova.....		3 Sep 1998 A	Zambia.....		1 Nov 1974 d
Romania.....		24 Nov 1970 A	Zimbabwe.....		1 Dec 1998 d
Russian Federation.....		7 Oct 1994 A			
Rwanda.....		1 Dec 1964 d			
San Marino.....		30 Jul 1985 A			
Serbia ⁶		12 Mar 2001 d			

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

GERMANY^{7,8}

(1) "Until the expiration of the interim period as defined in article 3 of the Treaty between France and the Federal Republic of Germany of 27 October 1956 on the Settlement of the Saar Questions, the above-mentioned Agreement does not apply to the Saar Territory;

(2) "In accordance with the aims of the Agreement, as out lined in its preamble, the Federal Republic's interpretation of the provisions contained in article 1 of the Agreement is that the granting of customs exemption is intended to serve the promotion of a free exchange of ideas and knowledge between the States Parties; that, however, this provision does not aim at furthering the shifting of production to a foreign country if such shifts are made chiefly for commercial reasons."

HUNGARY

The Hungarian People's Republic calls attention to the fact that articles XIII and XIV of the Agreement are at variance with resolution 1514 on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly of the United Nations at its XVth session on 14 December 1960.

IRAQ¹³

Accession by the Republic of Iraq to the Agreement shall [. . .] in no way imply recognition of Israel or lead to entry into any relations with it.

KENYA

"1. Annex B (vi) of the Agreement requires free admission for Antiques, being articles in excess of 100

years of age'. Under the relevant laws in force in Kenya, such items are admitted free of duty only if—

"(a) They can be classified as 'Works of Art'; and

"(b) They are not intended for resale and are admitted as such by the Commissioner of Customs and Excise; and

"(c) They are proved to the satisfaction of the Commissioner of Customs and Excise to be 'over 100 years old'.

"If the above conditions are not fulfilled, such articles attract appropriate duty under the Tariff.

"2. With respect to Annex C (i) of the Agreement, films, filmstrips, microfilms and slides of an *educational or scientific character* are granted duty-free entry into Kenya under conditions which accord with those specified in the Agreement. This is not necessarily so in the case of similar materials of *a cultural nature* which are dutiable under the appropriate items in the Tariff. This position may be attributed to the impossibility of defining the word 'cultural' with any degree of precision.

"3. With respect to Annex C (iii), sound recordings of an educational or scientific character for use under conditions specified in the Agreement are admitted into Kenya free of duty. However, no special provision exists for the admission of sound recordings of a cultural character and these attract duty under the relevant items of the Tariff."

LIBYA

The acceptance of the Libyan Arab Republic of this Agreement does not imply recognition of Israel or the assumption towards Israel of any commitments arising out of this Agreement.

ROMANIA

The State Council of the Socialist Republic of Romania considers that the maintenance of the state of dependence of certain territories to which the provisions of articles XIII and XIV of the Agreement refer is inconsistent with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which was adopted by the General Assembly of the United Nations on 14 December 1960, by resolution 1514 (XV), which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

The State Council of the Socialist Republic of Romania considers that the provisions of paragraph 1 of article IX are inconsistent with the principle that all multilateral treaties whose aim and purpose concern the international community as a whole should be open to universal participation.

SWITZERLAND

The Government of Switzerland reserves the right to resume its freedom of action with regard to contracting States which unilaterally apply quantitative restrictions and exchange control measures of a nature to render the Agreement inoperative.

Furthermore, [the signature by the Government of Switzerland] is appended without prejudice to the attitudes of the Government of Switzerland in regard to the Havana Charter for an International Trade Organization signed at Havana on 24 March 1948.

UNITED STATES OF AMERICA

The ratification is subject to the reservation contained in the Protocol annexed to the Agreement.

Territorial Application

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Belgium	31 Oct 1957	Belgian Congo and Trust Territory of Ruanda-Urundi
France	10 Dec 1951	Tunisia
Netherlands ¹⁰	31 Oct 1957	Netherlands New Guinea and Suriname
	30 Dec 1985	Aruba
New Zealand ¹¹	29 Jun 1962	Tokelau Islands
	28 Feb 1964	Cook Islands (including Niue)
United Kingdom of Great Britain and Northern Ireland ^{5,12}	11 Mar 1954	British Solomon Islands, Central and Southern Line Islands, Christmas Island and the Cocos (Keeling) Islands, Federation of Malaya, Gilbert and Ellice Islands, Malta, Mauritius, Nigeria Colony, Nigeria Protectorate, St. Helena, St. Helena and Dependencies, Sarawak, Seychelles, Sierra Leone Colony, Sierra Leone Protectorate, Singapore, Somalian Protectorate, Tanganyika, Territory of the Cameroons under British Administration, Trinidad and Tobago, Uganda Protectorate, Western Pacific High Commission and Zanzibar Protectorate
	11 Mar 1954	Antigua, Barbados, British Guiana, British Honduras, British Virgin Islands, Brunei, Cayman Islands, Colony of Aden, Fiji, Gambia Colony, Gambia Protectorate, Gibraltar, Gold Coast Colony, Gold Coast Northern Territory, Hong Kong, Jamaica, Kenya Colony, Kenya Protectorate,

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
		Leeward Islands, Montserrat, St. Christopher and Nevis, Territory of Togoland under British Administration and Turks and Caicos Islands
	16 Sep 1954	Cyprus, Falkland Islands (Colony and Dependencies) (Malvinas), North Borneo (including Labuan), Tonga (Protected State), Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent)
	18 May 1955	Channel Islands and Isle of Man
	22 Mar 1956	Federation of Rhodesia and Nyasaland
	14 Mar 1960	Bahamas

Notes:

¹ On 16 June 1975, the Government of Switzerland declared that the provisions of the Agreement apply to the Principality of Liechtenstein so long as it is linked to Switzerland by a customs union treaty.

² Records of the General Conference of UNESCO, Fifth Session, Florence, 1950, *Resolutions (5C/Resolutions)*, p. 64.

³ The Republic of Viet-Nam had acceded to the Agreement on 1 June 1952. See also note 1 under "Viet Nam" in the "Historical Information" section in the front matter of this volume.

⁴ Signed on behalf of the Republic of China on 22 November 1950. See note concerning signatures, ratifications, accessions, etc., on behalf of China (note 1 under "China" in the "Historical Information" section in the front matter of this volume.).

On depositing the instrument of acceptance of the Agreement, the Government of Romania stated that it considered the above-mentioned signature as null and void, inasmuch as the only Government competent to assume obligations on behalf of China and to represent China at the international level is the Government of the People's Republic of China.

In a letter addressed to the Secretary-General in regard to the above-mentioned declaration, the Permanent Representative of the Republic of China to the United Nations stated:

"The Republic of China, a sovereign State and member of the United Nations, attended the Fifth Session of the General Conference of the United Nations Educational, Cultural and Scientific Organization, contributed to the formulation of the Agreement on the Importation of Educational, Scientific and Cultural Materials and duly signed the said Agreement on 22 November 1950 at the Interim Headquarters of the United Nations at Lake Success. Any statement relating to the said Agreement that is incompatible with or derogatory to the legitimate position of the Government of the Republic of China shall in no way affect the rights and obligations of the Republic of China as a signatory of the said Agreement."

⁵ On 6 and 10 June 1997, respectively, the Governments of China and the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of the following:

China:

[*Same notification as the one made under note 6 in chapter V.3.*]

United Kingdom of Great Britain and Northern Ireland:

[*Same notification as the one made under note 5 in chapter IV.1.*]

In addition, the notification made by the Government of China contained the following declaration:

The signature by the Taiwan authorities on 22 November 1950 by usurping the name of "China" of the said Agreement is illegal and therefore null and void.

⁶ The former Yugoslavia had acceded to the Agreement on 26 April 1951. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

⁷ See note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

⁸ See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.

⁹ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

¹⁰ See note 1 under "Netherlands" regarding Aruba/Netherlands Antilles in the "Historical Information" section in the front matter of this volume.

¹¹ See note 1 under "New Zealand" regarding Tokelau in the "Historical Information" section in the front matter of this volume.

¹² See note 1 under "United Kingdom of Great Britain and Northern Ireland" in the "Historical Information" section in the front matter of this volume.

¹³ In a communication received by the Secretary-General on

20 October 1972, the Government of Israel made the following declaration:

"The Government of Israel has noted the political character of a reservation made by the Government of Iraq on that occasion. In the view of the Government of Israel, this Agreement is not the proper place for making such political pronouncements. Moreover, that declaration cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular treaties. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

