

No. 22032

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**MULTILATERAL**

**Statutes of the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fifth session on 5 December 1956**

**Amendments to the above-mentioned Statutes. Adopted by the General Assembly of the Centre on 24 April 1963**

**Amendments to the above-mentioned Statutes of 5 December 1956, as amended. Adopted by the General Assembly of the Centre of 12 April 1973**

**Amendments to the above-mentioned Statutes of 5 December 1956, as amended. Adopted by the General Assembly of the Centre on 23 April 1979**

*Authentic texts of the Statutes: English, Russian, Spanish and French.*

*Authentic texts of the Amendments: English and French.*

*Registered by the United Nations Educational, Scientific and Cultural Organization on 6 July 1983.*

# STATUTES<sup>1</sup> OF THE INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY

## Article 1. FUNCTIONS

The International Centre for the Study of the Preservation and Restoration of Cultural Property, hereinafter called "the Centre", shall exercise the following functions:

<sup>1</sup> Came into force on 10 May 1958, i.e., when five States had deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization a declaration of accession as provided for in article 2, in accordance with article 15.

State	Date of deposit of the declaration of accession	State	Date of deposit of the declaration of accession
Austria	20 May 1957	Poland	10 May 1958
Dominican Republic	11 March 1958	Spain	23 April 1958
Morocco	28 April 1958		

Subsequently, the Statutes came into force for the following States on the dates indicated below, by depositing with the Director-General of the United Nations Educational, Scientific and Cultural Organization a declaration of accession, in accordance with article 2:

State	Date of deposit of the declaration of accession	State	Date of deposit of the declaration of accession
Albania	11 April 1962	Lebanon	4 July 1958
Algeria	18 January 1973	Libyan Arab Jamahiriya	1 September 1959
Australia	26 June 1975	Luxembourg	18 December 1978
Belgium	7 July 1959	Madagascar	3 September 1963
Brazil	21 August 1964	Malta	24 August 1965
Bulgaria	12 January 1960	Malaysia	4 November 1966
Canada	7 November 1978	Mexico	8 August 1961
Chile	3 February 1981	Nepal	23 June 1969
Colombia	18 May 1971	Netherlands	16 April 1959
Cuba	25 June 1971	Nicaragua	30 August 1971
Cyprus	6 May 1963	Nigeria	12 December 1961
Democratic Kampuchea	13 June 1961	Norway	1 January 1980
Denmark	1 January 1973	Pakistan	2 January 1964
Ecuador	21 April 1980	Paraguay	21 June 1973
Egypt	5 November 1959	Peru	7 February 1962
Ethiopia	5 December 1975	Portugal	14 September 1967
Finland	3 July 1981	Republic of Korea	22 July 1968
France	29 September 1964	Republic of Viet-Nam	7 August 1972
Gabon	20 March 1961	Romania	19 January 1960
Germany, Federal Republic of*	30 October 1964	Somalia	2 March 1979
Ghana	23 February 1959	Sri Lanka	9 September 1958
Guatemala	18 September 1975	Sudan	10 November 1960
Guinea	19 February 1962	Sweden	1 September 1969
Honduras	26 May 1964	Switzerland	27 March 1959
India	2 October 1961	Syrian Arab Republic	5 November 1959
Iran	18 December 1972	Thailand	8 February 1967
Iraq	19 December 1961	Tunisia	21 May 1969
Israel	1 June 1958	Turkey	7 January 1969
Italy	24 October 1960	United Kingdom of Great Britain and Northern Ireland	4 January 1968
Japan	19 December 1967	United States of America	20 January 1971
Jordan	10 July 1958	Yugoslavia	17 June 1959
Kuwait	27 March 1962		

\* See p. 324 of this volume for the text of the declaration of application to *Land Berlin*.

In addition, declarations were made by the Governments of Bulgaria, the Federal Republic of Germany, Poland, Romania, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. See p. 324 of this volume for the text of the declarations.

- (a) Collect, study and circulate documentation concerning the scientific and technical problems of the preservation and restoration of cultural property;
- (b) Co-ordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;
- (c) Give advice and make recommendations on general or specific points connected with the preservation and restoration of cultural property;
- (d) Assist in training research workers and technicians and in raising the standard of restoration work.

#### *Article 2. MEMBERSHIP*

The membership of the Centre shall consist of those Member States of Unesco which send a formal declaration of accession to the Director-General of the Organization.

#### *Article 3. ASSOCIATE MEMBERS*

The following shall be eligible for Associate Membership of the Centre:

- (a) Public institutions of States which are not members of Unesco;
- (b) Private, scientific or cultural institutions.

Admission to Associate Membership shall be by decision of the Council of the Centre, taken by a two-thirds majority, on the recommendation of the Executive Board of Unesco.

#### *Article 4. ORGANS*

The Centre shall comprise:

- A General Assembly,
- A Council,
- A Secretariat.

#### *Article 5. THE GENERAL ASSEMBLY*

The General Assembly shall consist of the delegates of the States belonging to the Centre, each of which shall be represented by one delegate.

These delegates should be selected from amongst the best qualified technical experts concerned with the preservation of cultural property and should, preferably, be senior members of the government departments responsible for the protection of cultural property in the Member State concerned.

The United Nations Educational, Scientific and Cultural Organization and Associate Members may be represented at sessions of the General Assembly by observers, who shall be entitled to submit proposals, but not to vote.

The General Assembly shall meet in ordinary session every two years. It may also be convened in extraordinary session by the Council. Unless the General Assembly or the Council decides otherwise, the General Assembly shall meet in Rome.

The General Assembly shall elect its President at the beginning of each regular session. It shall adopt its own rules of procedure.

*Article 6. THE GENERAL ASSEMBLY: FUNCTIONS*

The functions of the General Assembly shall be to:

- (a) Decide on the policy of the Centre;
- (b) Elect the members of the Council;
- (c) Appoint the Director, on the proposal of the Council;
- (d) Study and approve the reports and the activities of the Council;
- (e) Supervise the financial operations of the Centre, examine and approve its budget;
- (f) Fix the contributions of members, on the basis of the scale of contributions for the Member States of Unesco;
- (g) Fix the contributions of Associate Members, on the basis of the resources of each individual member.

*Article 7. THE COUNCIL*

Subject to the provisions of article 12, paragraph 3, the Council shall consist of nine members, of which 5 shall be elected by the General Assembly; the four remaining members shall be:

- A representative of the Director-General of Unesco;
- A representative of the Italian Government;
- The Director of the Laboratoire Central des Musées, Belgium;
- The Director of the Istituto Centrale del Restauro, Rome.

A representative of the International Council of Museums, a representative of the International Committee on Monuments, and a representative of any other international institution named by the Council shall attend the meetings of the Council in an advisory capacity. Except that they shall not be entitled to vote, they shall take part in the work and discussions of the Council on the same footing as the members proper.

The members elected by the General Assembly shall be chosen from amongst the best qualified experts concerned with the preservation of cultural property and kindred scientific subjects.

The members elected by the General Assembly must all be of different nationalities. They shall be elected for a term of two years, and shall be immediately eligible for re-election.

The Council shall meet at least once a year.

The Council shall adopt its own rules of procedure.

*Article 8. THE COUNCIL: FUNCTIONS*

The functions of the Council shall be to:

- (a) Carry out the decisions and directives of the General Assembly;
- (b) Exercise such other functions as may be assigned to it by the Assembly;
- (c) Establish the draft budget, on the proposal of the Director, and submit it to the Assembly;
- (d) Examine and approve the work plan submitted by the Director.

*Article 9. CORRESPONDENTS*

The Council may, in accordance with its rules of procedure, appoint corresponding experts, who may be consulted on all questions within their special competence.

#### *Article 10. SECRETARIAT*

The Secretariat shall consist of the Director and such staff as the Centre may require.

The Director shall be appointed by the General Assembly, on the proposal of the Council. Appointments to any vacancies occurring in the intervals between sessions of the Assembly shall be made by the Council, subject to confirmation by the General Assembly, which shall also fix the term of office.

Assistants to the Director shall be appointed, on the proposal of the Director, by the Council. Appointments to any vacancies occurring in the intervals between sessions of the Council shall be made by the Director, subject to confirmation by the Council, which shall also fix the term of office.

The Director and his assistants must be specialists in different branches of study; they may not be of the same nationality.

The other members of the Secretariat shall be appointed by the Director.

In the discharge of their duties, the Director and the staff shall not seek or receive instructions from any government or from any authority external to the Centre.

#### *Article 11. LEGAL STATUS*

The Centre shall enjoy, on the territory of every member thereof, the legal capacity necessary for the attainment of its aims and the exercise of its functions.

The Centre may receive gifts or legacies.

#### *Article 12. TRANSITIONAL PROVISIONS*

For the first two years, the annual contributions of members shall be 1% of their contribution to Unesco for the year 1957.

For each of the first four years, Unesco's contribution shall be not less than \$12,000.

Until the first meeting of the General Assembly, which shall take place, at latest, within eighteen months of the entry into force of the present Statutes, the functions vested in the General Assembly and the Council shall be exercised by an Interim Council composed of:

- A representative of the Director-General of Unesco,
- A representative of the Italian Government,
- The Director of the Laboratoire Central des Musées, Belgium,
- The Director of the Istituto Centrale del Restauro, Rome,
- And a fifth member appointed by the Director-General of Unesco.

The Interim Council shall convene the first General Assembly.

#### *Article 13. REVISION*

Amendments to the present Statutes shall be adopted by the General Assembly; by unanimous vote of the members present and voting.

Proposals for amendments shall be communicated to all members and to Unesco six months prior to the session of the General Assembly on whose agenda they are to be placed. Proposed amendments to such amendments shall be communicated three months prior to the session of the General Assembly.

*Article 14.* WITHDRAWAL OF MEMBER STATES

Any member may give notice of withdrawal from the Centre at any time after the expiry of a period of two years from the date of its accession. Such notice shall take effect one year after the date on which it was communicated to the Director-General of Unesco, provided that the member concerned has, on that date, paid its contributions for all the years during which it belonged to the Centre, including the financial year following the date of the notice of withdrawal. The Director-General of Unesco shall communicate the said notice to all the members of the Centre, and to the Director.

*Article 15.* ENTRY INTO FORCE

These Statutes shall enter into force when five States have become members of the Centre.

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## AMENDMENTS<sup>1</sup> TO THE STATUTES OF THE INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY<sup>2</sup>

### STATUTES OF THE INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY\*

#### *Article 1. FUNCTIONS*

The International Centre for the Study of the Preservation and Restoration of Cultural Property, hereinafter called "the Centre", shall exercise the following functions:

- (a) Collect, study and circulate documentation concerned with scientific and technical problems of the preservation and restoration of cultural property;
- (b) Co-ordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;
- (c) Give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;
- (d) Assist in training research workers and technicians and raising the standard of restoration work.

#### *Article 2. MEMBERSHIP*

The membership of the Centre shall consist of those Member States of Unesco which send a formal declaration of accession to the Director-General of the Organization.

#### *Article 3. ASSOCIATE MEMBERS*

The following shall be eligible for Associate Membership of the Centre:

- (a) Public or private institutions of a scientific or cultural nature of States which are not members of Unesco.

Admission to Associate Membership shall be on the recommendation of the Executive Board of Unesco and by decision of the Council of the Centre taken by a two-thirds majority.

- (b) Public or private institutions of a scientific or cultural nature of those Member States or Associate Members of Unesco.

Admission to Associate Membership shall be by decision of the Council of the Centre taken by a two-thirds majority.

\* These Statutes are based upon the version on which the General Conference of Unesco, at its ninth session, had taken the following decisions:

1. *Decides* to create an International Centre for the Study of the Preservation and Restoration of Cultural Property, to be located in Rome, where it will be able to profit from the assistance of the Istituto Centrale del Restauro and other specialized scientific institutes;
2. *Adopts* the appendix to the present resolution, setting forth the Statutes of the International Centre for the Study of the Preservation and Restoration of Cultural Property.

<sup>1</sup> These amended Statutes were adopted by the General Assembly of the Centre on 24 April 1963.

<sup>2</sup> See p. 288 of this volume.

*Article 4. ORGANS*

The Centre shall comprise: a General Assembly, a Council, a Secretariat.

*Article 5. THE GENERAL ASSEMBLY*

The General Assembly shall consist of the delegates of the States belonging to the Centre, each of which shall be represented by one delegate.

These delegates should be chosen from amongst the best qualified technical experts and if possible representing specialized institutions concerned with the preservation and restoration of cultural property.

The United Nations Educational, Scientific and Cultural Organization and Associate Members may be represented at sessions of the General Assembly by observers, who shall be entitled to submit proposals, but not to vote.

The General Assembly shall meet in ordinary session every two years. It may also be convened in extraordinary session by the Council. Unless the General Assembly or the Council decides otherwise, the General Assembly shall meet in Rome.

The General Assembly shall elect its President at the beginning of each regular session. It shall adopt its own Rules of Procedure.

*Article 6. THE GENERAL ASSEMBLY: FUNCTIONS*

The functions of the General Assembly shall be to:

- (a) Decide on the policy of the Centre;
- (b) Elect the members of the Council;
- (c) Appoint the Director, on the proposal of the Council;
- (d) Study and approve the reports and the activities of the Council;
- (e) Supervise the financial operations of the Centre, examine and approve its budget;
- (f) Fix the contributions of members, on the basis of the scale of contributions for the Member States of Unesco;
- (g) Decide on the application of sanctions as laid down in article 13.

*Article 7. THE COUNCIL*

(a) The Council shall consist of members elected by the General Assembly and special members.

(b) The number of members elected by the Assembly shall not be less than six nor more than twelve. There shall be six members as long as the number of Member States of the Centre is less than thirty; seven members if the number of Member States is between thirty and forty. Thereafter this number shall be increased by one person for each group of ten Member States after the first thirty.

(c) Special members shall be: a representative of the Director-General of Unesco; a representative of the Italian Government; the Director of the Institut Royal du Patrimoine Artistique, Brussels; the Director of the Istituto Centrale del Restauro, Rome; a representative of the International Council of Museums and a representative of the International Council of Monuments and Sites.

(d) The Director of the Centre, representatives of other institutions and experts appointed by the Council may attend the meetings of the Council in an advisory capacity. Except that they shall not be entitled to vote, they shall participate in the work and discussions of the Council on the same footing as the members proper.



(e) The members elected by the General Assembly shall be chosen from amongst the best qualified experts concerned with the preservation and restoration of cultural property taking into consideration equitable representation of the major cultural regions of the world. They must all be of different nationalities.

(f) The members elected by the General Assembly shall be elected for a term of two years, and shall be eligible for re-election.

(g) The Council shall meet at least every two years.

(h) The Council may entrust any definite task or tasks to a Special Committee of which it will decide the composition.

(i) The Council shall adopt its own Rules of Procedure.

#### *Article 8. THE COUNCIL: FUNCTIONS*

The functions of the Council shall be to:

- (a) Carry out the decisions and directives of the General Assembly;
- (b) Exercise such other functions as may be assigned to it by the Assembly;
- (c) Establish the draft budget, on the proposal of the Director, and submit it to the Assembly;
- (d) Examine and approve the work plan submitted by the Director;
- (e) Establish the contributions of the Associate Members.

#### *Article 9. CORRESPONDENTS*

The Council may, in accordance with its Rules of Procedure, appoint corresponding experts, who may be consulted on all questions within their special competence.

#### *Article 10. SECRETARIAT*

The Secretariat shall consist of the Director and such staff as the Centre may require.

The Director shall be appointed by the General Assembly, on the proposal of the Council. The appointment to a vacancy occurring in the intervals between sessions of the Assembly shall be made by the Council, subject to confirmation by the General Assembly, which shall also fix the term of office.

Assistants to the Director shall be appointed, on the proposal of the Director, by the Council. Appointments to any vacancies occurring in the intervals between sessions of the Council shall be made by the Director, subject to confirmation by the Council, which shall also fix the term of office.

The Director and his assistants must be specialists in different branches of study; they may not be of same nationality.

The other members of the Secretariat shall be appointed by the Director.

In the discharge of their duties, the Director and the staff shall not seek or receive instructions from any government or from any authority external to the Centre.

#### *Article 11. LEGAL STATUS*

The Centre shall enjoy, on the territory of every member thereof, the legal capacity necessary for the attainment of its aims and the exercise of its functions.

The Centre may receive gifts or legacies.

*Article 12. TRANSITIONAL PROVISIONS*

For the first two years, the annual contribution of members shall be 1% of their contribution to Unesco for the year 1957.\*

For each of the first four years, Unesco's contribution shall not be less than \$ 12,000.

Until the first meeting of the General Assembly, which shall take place, at latest, within 18 months of the entry into force of the present Statutes, the functions vested in the General Assembly and the Council shall be exercised by an Interim Council composed of:

- A representative of the Director-General of Unesco;
- A representative of the Italian Government;
- The Director of the Laboratoire Central des Musées, Belgium;
- The Director of the Istituto Centrale del Restauro, Rome;
- And a fifth member appointed by the Director-General of Unesco.

The Interim Council shall convene the first General Assembly.

*Article 13. SANCTIONS*

The Members and Associate Members who have not paid their contribution for two or four consecutive years, shall be liable respectively to a penalty of suspension or exclusion.

*Article 14. REVISION*

Amendments to the present Statutes shall be adopted by the General Assembly by unanimous vote of the members present and voting.

Proposals for amendments shall be communicated to all members and to Unesco six months prior to the session of the General Assembly on whose agenda they are to be placed. Proposed amendments to such amendments shall be communicated three months prior to the session of the General Assembly.

*Article 15. WITHDRAWAL OF MEMBER STATES*

Any member may give notice of withdrawal from the Centre at any time after the expiry of a period of two years from the date of its accession. Such notice shall take effect one year after the date on which it is communicated to the Director General of Unesco, provided that the member concerned has, on that date, paid its contributions for all the years during which it belonged to the Centre, including the financial year following the date of the notice of withdrawal. The Director-General of Unesco shall communicate the said notice to all the members of the Centre and to the Director.

*Article 16. ENTRY INTO FORCE*

These Statutes shall enter into force when five States have become members of the Centre.

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\* In 1963 the majority of the Member States of the Centre voted to have their annual contribution based upon 1% of their contributions paid to Unesco during the current year.

AMENDMENTS<sup>1</sup> TO THE STATUTES OF THE INTERNATIONAL  
CENTRE FOR THE STUDY OF THE PRESERVATION AND RES-  
Toration OF CULTURAL PROPERTY,<sup>2</sup> AS AMENDED<sup>3</sup>

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*Article 7, The Council*

Section (b) of this article is amended to read as follows:

“(b) The number of members elected by the General Assembly should not be less than twelve. This number may be increased by one person for each group of five Member States after the first thirty.”

Article 14 is amended to read as follows:

“*Article 14. REVISION*

“Amendments to the present Statutes shall be adopted by the General Assembly by a two-thirds majority vote of the members present and voting.

“Proposals for amendments shall be communicated to all members and to Unesco six months prior to the session of the General Assembly on whose agenda they are to be placed. Proposed amendments to such amendments shall be communicated three months prior to the beginning of the session of the General Assembly.”

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<sup>1</sup> These amendments were adopted by the General Assembly of the Centre on 12 April 1973.

<sup>2</sup> See p. 288 of this volume.

<sup>3</sup> See p. 306 of this volume.

AMENDMENTS<sup>1</sup> TO THE STATUTES OF THE INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY,<sup>2</sup> AS AMENDED<sup>3</sup>

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STATUTES OF THE INTERNATIONAL CENTRE FOR THE STUDY OF THE PRESERVATION AND RESTORATION OF CULTURAL PROPERTY

*Article 1. FUNCTIONS*

The International Centre for the Study of the Preservation and Restoration of Cultural Property, hereinafter called "ICCRROM", shall exercise the following functions:

- (a) Collect, study and circulate documentation concerned with scientific and technical problems of the preservation and restoration of cultural property;
- (b) Co-ordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;
- (c) Give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;
- (d) Assist in training research workers and technicians and raising the standard of restoration work.

*Article 2. MEMBERSHIP*

The membership of ICCROM shall consist of those Member States of Unesco which send a formal declaration of accession to the Director-General of the Organization.

*Article 3. ASSOCIATE MEMBERS*

The following shall be eligible for Associate Membership of ICCROM:

- (a) Public or private institutions of a scientific or cultural nature or States which are not members of Unesco.  
Admission to Associate Membership shall be on the recommendation of the Executive Board of Unesco and by decision of the Council of ICCROM taken by a two-thirds majority.
- (b) Public or private institutions of a scientific or cultural nature of those Member States or Associate Members of Unesco.  
Admission to Associate Membership shall be by decision of the Council of ICCROM taken by a two-thirds majority.

*Article 4. ORGANS*

ICCRROM shall comprise: a General Assembly, a Council, a Secretariat.

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<sup>1</sup> These amended Statutes were adopted by the General Assembly of the Centre on 23 April 1979.

<sup>2</sup> See p. 288 of this volume.

<sup>3</sup> See pp. 306 and 310 of this volume.

*Article 5. THE GENERAL ASSEMBLY*

The General Assembly shall consist of the delegates of the States belonging to ICCROM, each of which shall be represented by one delegate.

These delegates should be chosen from amongst the best qualified technical experts and if possible representing specialized institutions of cultural property. The United Nations Educational, Scientific and Cultural Organization and Associated Members may be represented at sessions of the General Assembly by observers, who shall be entitled to submit proposals, but not to vote.

The General Assembly shall meet in ordinary session every two years. It may also be convened in extraordinary session by the Council. Unless the General Assembly or the Council decides otherwise, the General Assembly shall meet in Rome.

The General Assembly shall elect its President at the beginning of each regular session. It shall adopt its own Rules of Procedure.

*Article 6. THE GENERAL ASSEMBLY: FUNCTIONS*

The functions of the General Assembly shall be to:

- (a) Decide on the policy of ICCROM;
- (b) Elect the members of the Council;
- (c) Appoint the Director, on the proposal of the Council;
- (d) Study and approve the reports and the activities of the Council;
- (e) Supervise the financial operations of ICCROM, examine and approve its budget;
- (f) Fix the contributions of members, on the basis of the scale of contributions for the Member States of Unesco;
- (g) Decide on the application of sanctions as laid down in article 13.

*Article 7. THE COUNCIL*

(a) The Council shall consist of members elected by the General Assembly and special members.

(b) The number of members elected by the General Assembly should not be less than twelve. This number may be increased by one person for each group of five Member States after the first thirty.

(c) Special members shall be: a representative of the Director-General of Unesco; a representative of the Italian Government; the Director of the Institut Royal du Patrimoine Artistique, Brussels; the Director of the Istituto Centrale del Restauro, Rome; a representative of the International Council of Museums and a representative of the International Council on Monuments and Sites.

(d) The Director of ICCROM, representatives of other institutions and experts appointed by the Council may attend the meetings of the Council in an advisory capacity. Except that they shall not be entitled to vote, they shall participate in the work and discussions of the Council on the same footing as the members proper.

(e) The members elected by the General Assembly shall be chosen from amongst the best qualified experts concerned with the preservation and restoration of cultural property taking into consideration equitable representation of the major cultural regions of the world. They must all be of different nationalities.

(f) The members elected by the General Assembly shall be elected for a term of two years, and shall be eligible for re-election.

(g) The Council shall meet at least every two years.

(h) The Council may entrust any definite task or tasks to a Special Committee of which it will decide the composition.

(i) The Council shall adopt its own Rules of Procedure.

#### *Article 8. THE COUNCIL: FUNCTIONS*

The function of the Council shall be to:

- (a) Carry out the decisions and directives of the General Assembly;
- (b) Exercise such other functions as may be assigned to it by the Assembly;
- (c) Establish the draft budget, on the proposal of the Director, and submit it to the Assembly;
- (d) Examine and approve the work plan submitted by the Director;
- (e) Establish the contributions of the Associate Members.

#### *Article 9. CORRESPONDENTS*

The Council may, in accordance with its Rules of Procedure, appoint corresponding experts, who may be consulted on all questions within their special competence.

#### *Article 10. SECRETARIAT*

The Secretariat shall consist of the Director and such staff as ICCROM may require.

The Director shall be appointed by the General Assembly, on the proposal of the Council. The appointment to a vacancy occurring in the intervals between sessions of the Assembly shall be made by the Council, subject to confirmation by the General Assembly, which shall also fix the term of office.

Assistants to the Director shall be appointed, on the proposal of the Director, by the Council. Appointments to any vacancies occurring in the intervals between sessions of the Council shall be made by the Director, subject to confirmation by the Council, which shall also fix the term of office.

The Director and his assistants must be specialists in different branches of study; they may not be of the same nationality.

The other members of the Secretariat shall be appointed by the Director.

In the discharge of their duties, the Director and the staff shall not seek or receive instructions from any government or from any authority external to ICCROM.

#### *Article 11. LEGAL STATUS*

ICCROM shall enjoy, on the territory of every member thereof, the legal capacity necessary for the attainment of its aims and the exercise of its functions.

ICCROM may receive gifts or legacies.

#### *Article 12. TRANSITIONAL PROVISIONS*

For the first two years, the annual contribution of members shall be 1 % of their contribution to Unesco for the year 1957.\*

For each of the first four years, Unesco's contribution shall not be less than \$ 12,000.

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\* In 1963 the majority of Member States of ICCROM voted to have their annual contributions established at 1 % of their contributions to Unesco for the current year.

Until the first meeting of the General Assembly which shall take place, at latest, within 18 months of the entry into force of the present Statutes, the functions vested in the General Assembly and the Council shall be exercised by an Interim Council composed of:

- A representative of the Director-General of Unesco;
- A representative of the Italian Government;
- The Director of the Laboratoire Central des Musées, Belgium;
- The Director of the Istituto Centrale del Restauro, Rome;
- And a fifth member appointed by the Director-General of Unesco.

The Interim Council shall convene the first General Assembly.

#### *Article 13. SANCTIONS*

The Members and Associate Members who have not paid their contribution for two or four consecutive years shall be liable respectively to a penalty of suspension or exclusion.

#### *Article 14. REVISION*

Amendments to the present Statutes shall be adopted by the General Assembly by a two-thirds majority vote of the members present and voting.

Proposals for amendments shall be communicated to all members and to Unesco six months prior to the session of the General Assembly on whose agenda they are to be placed. Proposed amendments to such amendments shall be communicated three months prior to the beginning of the session of the General Assembly.

#### *Article 15. WITHDRAWAL OF MEMBER STATES*

Any member may give notice of withdrawal from ICCROM at any time after the expiry of a period of two years from the date of its accession. Such notice shall take effect one year after the date on which it is communicated to the Director General of Unesco, provided that the member concerned has, on that date, paid its contributions for all the years during which it belonged to ICCROM, including the financial year following the date of the notice of withdrawal. The Director-General of Unesco shall communicate said notice to all the members of ICCROM and to the Director.

#### *Article 16. ENTRY INTO FORCE*

These Statutes shall enter into force when five States have become members of ICCROM.

DECLARATION concerning the application of the Statutes of 5 December 1956 of the International Centre for the Study of the Preservation and Restoration of Cultural Property<sup>1</sup> to *Land Berlin*

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

17 September 1965

FEDERAL REPUBLIC OF GERMANY

(With effect from 30 October 1964, date of accession of the Federal Republic of Germany.)

“... that the Statutes of the International Centre will also be applicable to the *Land* of Berlin from the day of their entry into force for the Federal Republic of Germany”.

DECLARATIONS relating to the above-mentioned declaration made by the Federal Republic of Germany

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

18 November 1965

UNION OF SOVIET SOCIALIST REPUBLICS

DÉCLARATION concernant l'application des Statuts du 5 décembre 1956 du Centre international d'études pour la conservation et la restauration des biens culturels<sup>1</sup> au *Land Berlin*

*Reçue par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

17 septembre 1965

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

(Avec effet au 30 octobre 1964, date de l'adhésion de la République fédérale d'Allemagne.)

[TRADUCTION — TRANSLATION]

... que les Statuts du Centre international s'appliqueront également au *Land Berlin* à compter du jour de leur entrée en vigueur pour la République fédérale d'Allemagne.

DÉCLARATIONS relatives à la déclaration susmentionnée formulée par la République fédérale d'Allemagne

*Reçues par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

18 novembre 1965

UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES

[RUSSIAN TEXT — TEXTE RUSSE]

«... Комиссия СССР по делам ЮНЕСКО не может признать правомочным решение правительства ФРГ о распространении действия своего присоединения к Международному исследовательскому центру по сохранению и реставрации культурных ценностей на Западный Берлин, являющийся самостоятельной политической единицей, которая никогда не входила и не входит в состав ФРГ.»

<sup>1</sup> See p. 288 of this volume.

<sup>1</sup> Voir p. 301 du présent volume.



[TRANSLATION]<sup>1</sup>

... the Commission of the USSR for Unesco cannot admit the legality of the decision taken by the Government of the Federal Republic of Germany concerning the extension to West Berlin of the applicability of its accession to the International Centre for the Study of the Preservation and Restoration of Cultural Property, since West Berlin is an independent political entity that is not and never was part of the Federal Republic of Germany.

21 February 1966

ROMANIA

## [TRANSLATION — TRADUCTION]

The Government of the Socialist Republic of Romania considers inadmissible the communication from the Permanent Delegate of the Federal Republic of Germany to UNESCO (in which he informs the Director-General of Unesco that the statutes of the International Centre for the Study of the Preservation and Restoration of Cultural Property will apply also to *Land Berlin* as from the date of their entry into force for the Federal Republic of Germany), since West Berlin is not part of the territory of the Federal Republic of Germany.

24 February 1966

POLAND

## [TRANSLATION — TRADUCTION]

... the Polish National Commission for UNESCO ... cannot recognize the legal validity of the statement by the

## [TRADUCTION]

... la Commission de l'URSS pour l'Unesco ne peut pas reconnaître la légitimité de la décision du Gouvernement de la République fédérale d'Allemagne d'étendre le champ d'application de son adhésion au Centre international d'études pour la conservation et la restauration des biens culturels à Berlin-Ouest, qui constitue une entité politique autonome, n'a jamais fait partie et ne fait pas partie de la République fédérale d'Allemagne.

21 février 1966

ROUMANIE

«Le Gouvernement de la République socialiste de Roumanie ne peut pas prendre acte de la communication faite par le Délégué permanent de la République fédérale d'Allemagne auprès de l'Unesco, par laquelle celui-ci informe le Directeur général de l'Unesco que le statut du Centre international d'études pour la conservation et la restauration des biens culturels s'appliquera également au Land de Berlin à compter du jour de son entrée en vigueur pour la République fédérale d'Allemagne, pour la raison que Berlin-Ouest ne fait pas partie du territoire de celle-ci.»

24 février 1966

POLOGNE

«... la Commission nationale polonaise pour l'Unesco ... ne peut reconnaître la légitimité de la déclaration du

<sup>1</sup> Translation supplied by the United Nations Educational, Scientific and Cultural Organization.

Government of the Federal Republic of Germany that its accession applies also to West Berlin. Since West Berlin has never been part of the Federal Republic of Germany, this statement is unfounded.

The Government of the Polish People's Republic fully endorses the National Commission's communication and does not recognize the legal validity of the aforesaid statement by the Government of the Federal Republic of Germany.

4 March 1966

BULGARIA

[TRANSLATION — TRADUCTION]

... the National Commission for UNESCO of the People's Republic of Bulgaria was very surprised to learn of the claim by the Government of the Federal Republic of Germany that accession by the Federal Republic of Germany to the International Centre for the Study of the Preservation and Restoration of Cultural Property also entails accession by the western part of the capital of the German Democratic Republic, for West Berlin is an autonomous political entity that never was and is not part of the Federal Republic of Germany. Consequently, the National Commission cannot recognize the legal validity of the decision by the Government of the Federal Republic of Germany.

Gouvernement de la République fédérale d'Allemagne selon laquelle son adhésion vaut également pour Berlin-Ouest. Berlin-Ouest n'ayant jamais fait partie de la République fédérale d'Allemagne, cette déclaration est sans fondement.

«Le Gouvernement de la République populaire de Pologne approuve entièrement la communication de la Commission nationale, ne reconnaissant pas la légitimité de la déclaration susmentionnée du Gouvernement de la République fédérale d'Allemagne.»

4 mars 1966

BULGARIE

«... la Commission nationale de la République populaire de Bulgarie pour l'Unesco fut très étonnée en apprenant la prétention du Gouvernement de la République fédérale d'Allemagne, selon laquelle l'adhésion de la République fédérale d'Allemagne au Centre international d'études pour la conservation et la restauration des biens culturels aura signifié l'adhésion également de la partie ouest de la capitale de la République démocratique d'Allemagne, étant entendu que Berlin-Ouest est entité politique autonome qui ne fut jamais et ne fait pas partie de la République fédérale d'Allemagne. Ergo, elle ne peut pas reconnaître la légitimité de la décision du Gouvernement de la République fédérale d'Allemagne.»

DECLARATION relating to the declarations made by the Union of Soviet Socialist Republics,<sup>1</sup> Romania,<sup>2</sup> Poland<sup>3</sup> and Bulgaria<sup>4</sup>

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

28 July 1967

FEDERAL REPUBLIC OF GERMANY

[TRANSDUCTION — TRANSLATION]

Berlin is part of Germany. The relations of Berlin with authorities abroad are, however, currently reserved to the Allied Kommandatura as the supreme authority in Berlin. Nevertheless, in paragraph III (c) of the Declaration on Berlin of 5 May 1955, which accords with instruments that previously entered into force, such as the Declaration referred to in the Allied Kommandatura's letter of 21 May 1952, the Allied Kommandatura has authorized the Berlin authorities to assure the representation abroad of the interests of Berlin and its inhabitants under suitable arrangements. Such arrangements have been concluded with the Government of the Federal Republic of Germany, which is the only freely and legitimately constituted German Government.

The arrangements made in accordance with the foregoing permit the Federal Republic of Germany to extend to Berlin the international agreements which the Federal Republic of Germany concludes, provided that certain conditions are observed. Under these conditions, the final decision in every case on the extension of the international agreement to Berlin is left to the Allied Kommandatura

DÉCLARATION concernant les déclarations formulées par l'Union des Républiques socialistes soviétiques<sup>1</sup>, la Roumanie<sup>2</sup>, la Pologne<sup>3</sup>, la Bulgarie<sup>4</sup>

*Reçue par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

28 juillet 1967

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

«Berlin fait partie de l'Allemagne. Les rapports de Berlin avec les autorités étrangères sont cependant actuellement réservés à la Kommandatura interalliée, en tant qu'autorité suprême à Berlin. Toutefois, dans le paragraphe III (c) de la Déclaration sur Berlin publiée le 5 mai 1955 qui concorde avec les textes entrés en vigueur dès avant cette date, telle que la Déclaration à laquelle se réfère sa lettre du 21 mai 1952, la Kommandatura interalliée a autorisé les autorités berlinoises à faire assurer la représentation à l'étranger des intérêts de Berlin et de ses habitants par des arrangements appropriés. De tels arrangements ont été conclus avec le Gouvernement de la République fédérale d'Allemagne, qui est le seul Gouvernement allemand librement et légitimement constitué.

«Les arrangements qui ont été effectués en accord avec les dispositions qui précèdent permettent à la République fédérale d'Allemagne d'étendre à Berlin le champ d'application des accords internationaux conclus par elle, pourvu que certaines conditions soient respectées. D'après ces conditions, la décision finale sur l'extension du champ d'application de l'accord international est laissée dans chaque cas à

<sup>1</sup> See p. 324 of this volume.

<sup>2</sup> See p. 325 of this volume.

<sup>3</sup> See p. 325 of this volume.

<sup>4</sup> See p. 326 of this volume.

<sup>1</sup> Voir p. 324 du présent volume.

<sup>2</sup> Voir p. 325 du présent volume.

<sup>3</sup> Voir p. 325 du présent volume.

<sup>4</sup> Voir p. 326 du présent volume.

tura. In addition, internal Berlin action is required to make any such international agreement applicable as domestic law in Berlin.

It is clear that this procedure, which accords with the special status of the city, safeguards entirely the rights and responsibilities of the Allied Kommandatura and, through it, those of the Allied Powers, who remain in any event competent to decide on the extension to Berlin of the international agreements concluded by the Federal Republic of Germany.

It follows that the objections raised by the National Commission of the USSR, the National Commission of the Byelorussian SSR, the Permanent Delegation of the Socialist Republic of Romania, the Embassy of the Polish People's Republic, and the National Commission of the People's Republic of Bulgaria are unfounded.

DECLARATION relating to the declaration made by the Federal Republic of Germany on 28 July 1967<sup>1</sup>

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

16 October 1967

UNION OF SOVIET SOCIALIST REPUBLICS

la Kommandatura interalliée. En outre, une action particulière des autorités berlinoises est requise pour rendre tout accord international de cet ordre applicable en tant que droit interne à Berlin.

«Il est clair que cette procédure, conforme au statut spécial de la ville, sauvegarde entièrement les droits et les responsabilités de la Kommandatura interalliée et, par son intermédiaire, des Puissances alliées qui demeurent en toute hypothèse compétentes pour décider de l'extension à Berlin des accords internationaux conclus par la République fédérale d'Allemagne.

«Il s'ensuit que les objections soulevées par la Commission nationale de l'URSS, la Commission nationale de Biélorussie, la Délégation permanente de la République socialiste de Roumanie, l'Ambassade de la République populaire de Pologne et la Commission nationale de la République populaire de Bulgarie ne sont pas fondées.»

DÉCLARATION relative à la déclaration formulée par la République fédérale d'Allemagne le 28 juillet 1967<sup>1</sup>

*Reçue par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

16 octobre 1967

UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES

[RUSSIAN TEXT — TEXTE RUSSE]

«1. Сообщение властей ФРГ от 11 августа 1967 г. о распространении действия Конвенции и Протокола о защите культурных ценностей в случае вооруженного конфликта на Западный Берлин является незаконным. Как это хорошо известно, Западный Берлин не входит в состав территории ФРГ и на него не распространяется юрисдикция федеративной Республики Германии. В силу этого сообщение правительства ФРГ от 11 августа 1967 г. не имеет ника-

<sup>1</sup> See p. 327 of this volume.

<sup>1</sup> Voir p. 327 du présent volume.

кой силы в отношении применения указанных Конвенции и Протокола к Западному Берлину.

2. Комиссия СССР уполномочена настоящим подтвердить аналогичную позицию СССР по поводу незаконных попыток властей ФРГ распространить действие Статута международного центра по изучению и сохранению культурных ценностей на Западный Берлин. Обращает на себя внимание недопустимый тон письма постоянного представителя ФРГ при ЮНЕСКО, приложенного к Вашему циркуляру № 1903 от 26 сентября 1967 г.

Содержащиеся в этом письме утверждения о том, что правительство ФРГ является «единственно законным немецким правительством» являются беспочвенными и незаконными. Общеизвестно, что в Европе существуют два немецких государства — ГДР и ФРГ. Что касается Германской Демократической Республики, то она является полностью суверенным и демократическим государством. Комиссия СССР не может не выразить в этой связи сожаления по поводу того, что власти ФРГ используют каналы ЮНЕСКО для распространения своих незаконных экспансионистских претензий и утверждений.»

[TRANSLATION]<sup>1</sup>

(1) The notification from the authorities of the Federal Republic of Germany dated 11 August 1967<sup>2</sup> concerning the extension to West Berlin of the applicability of the Convention and Protocol for the Protection of Cultural Property in the Event of Armed Conflict<sup>3</sup> has no legal basis. West Berlin, of course, is not part of the territory of the Federal Republic of Germany, and the latter's jurisdiction does not extend to it. The notification dated 11 August 1967 from the Government of the Federal Republic of Germany therefore has no validity as regards the applicability to West Berlin of the above Convention and Protocol.

(2) The Commission of the USSR is authorized to state that the USSR takes a similar position with respect to the unlawful attempts of the authorities of the Federal Republic of Germany to extend to West Berlin the applicability of the Statutes of the International Centre for the Study of the Preservation and Resto-

[TRADUCTION]<sup>1</sup>

1. La communication des autorités de la République fédérale d'Allemagne en date du 11 août 1967<sup>2</sup> selon laquelle l'application de la Convention et du Protocole pour la protection des biens culturels en cas de conflit armé<sup>3</sup> est étendue à Berlin-Ouest est illégale. Il est notoire que Berlin-Ouest ne fait pas partie du territoire de la République fédérale d'Allemagne et ne relève pas de la juridiction de la RFA. Par conséquent, la communication du Gouvernement de la République fédérale d'Allemagne en date du 11 août 1967 ne saurait en aucune façon avoir pour effet d'entraîner l'application de la Convention et du Protocole précités à Berlin-Ouest.

2. La Commission de l'URSS est chargée de confirmer que l'URSS adopte une position analogue devant les tentatives illégales des autorités de la République fédérale d'Allemagne pour étendre à Berlin-Ouest l'application du Statut du Centre international d'études pour la conservation et la restauration des biens

<sup>1</sup> Translation supplied by the United Nations Educational, Scientific and Cultural Organization.

<sup>2</sup> United Nations, *Treaty Series*, vol. 604, p. 354.

<sup>3</sup> *Ibid.*, vol. 249, p. 215. See also p. 324 of this volume.

<sup>1</sup> Traduction fournie par l'Organisation des Nations Unies pour l'éducation, la science et la culture.

<sup>2</sup> Nations Unies, *Recueil des Traités*, vol. 604, p. 355.

<sup>3</sup> *Ibid.*, vol. 249, p. 215. Voir aussi p. 324 du présent volume.

ration of Cultural Property.<sup>1</sup> The tone of the letter from the Permanent Delegate of the Federal Republic of Germany to Unesco, enclosed with your circular letter CL/1903 dated 26 September 1967, is manifestly unacceptable.

The assertions in that letter that the Government of the Federal Republic of Germany is "the only legally-constituted German Government" are unfounded and unwarrantable. It is known to everyone that there are two German States in Europe, the German Democratic Republic and the Federal Republic of Germany. The German Democratic Republic is a fully sovereign and democratic State. The USSR Commission cannot refrain from deploring the fact that the authorities of the Federal Republic of Germany should use Unesco as a channel for expressing their unlawful expansionist assertions and claims.

DECLARATIONS relating to the declaration made by the Union of Soviet Socialist Republics<sup>2</sup>

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

5 September 1968

UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND

UNITED STATES OF AMERICA

"The relations of Berlin with authorities abroad are, and remain, reserved to the Allied Kommandatura as the supreme

culturels<sup>1</sup>. Il convient de relever à cet égard le ton inadmissible de la lettre du représentant permanent de la République fédérale d'Allemagne auprès de l'Unesco, qui est annexée à votre lettre circulaire n° 1903 du 26 septembre 1967.

Les affirmations contenues dans cette lettre selon lesquelles le Gouvernement de la République fédérale d'Allemagne est «le seul Gouvernement allemand légitime» sont dénuées de tout fondement et de toute valeur juridique. Il est notoire qu'il existe en Europe deux Etats allemands, la République démocratique allemande et la république fédérale d'Allemagne. Pour ce qui est de la République démocratique allemande, c'est un Etat entièrement souverain et démocratique. La Commission de l'URSS ne peut que regretter à cet égard que les autorités de la République fédérale d'Allemagne se servent de l'Unesco pour développer leurs prétentions et assertions expansionnistes qui n'ont aucune légitimité.

DÉCLARATIONS relatives à la déclaration formulée par l'Union des Républiques socialistes soviétiques<sup>2</sup>

*Reçues par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

5 septembre 1968

ETATS-UNIS D'AMÉRIQUE

ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD

[TRADUCTION — TRANSLATION]

Les rapports de Berlin avec les autorités étrangères sont cependant actuellement réservés à la Kommandatura interalliée,

<sup>1</sup> See p. 288 of this volume.

<sup>2</sup> See p. 328 of this volume.

<sup>1</sup> Voir p. 301 du présent volume.

<sup>2</sup> Voir p. 328 du présent volume.

authority in Berlin. In paragraph III(c) of the Declaration on Berlin of May 5, 1955, however, which accords with instruments that previously entered into force, such as the Declaration referred to in the Allied Kommandatura's letter of May 21, 1952, the Allied Kommandatura has authorized the Berlin authorities to assure the representation abroad of the interests of Berlin and its inhabitants under suitable arrangements.

“The arrangements made in accordance with the foregoing permit the Federal Republic of Germany to extend to Berlin the international agreements which the Federal Republic concludes provided that certain conditions are observed. Under these conditions the final decision in every case on the extension of the international agreement to Berlin is left to the Allied Kommandatura. In addition, internal Berlin action is required to make any such international agreement applicable as domestic law in Berlin.

“It is clear that this procedure, which accords with the special status of the city, safeguards entirely the rights and responsibilities of the Allied Kommandatura and, through it, those of the Allied Powers, who remain in any event competent to decide on the extension to Berlin of the international agreements concluded by the Federal Republic of Germany.

“It follows that the objections raised ... are unfounded.”

en tant qu'autorité suprême à Berlin. Toutefois, dans le paragraphe III, c, de la Déclaration sur Berlin publiée le 5 mai 1955 qui concorde avec les textes entrés en vigueur dès avant cette date, telle que la Déclaration à laquelle se réfère sa lettre du 21 mai 1952, la Kommandatura interalliée a autorisé les autorités berlinoises à faire assurer la représentation à l'étranger des intérêts de Berlin et de ses habitants par des arrangements appropriés. De tels arrangements ont été conclus avec le Gouvernement de la République fédérale d'Allemagne, qui est le seul Gouvernement allemand librement et légitimement constitué.

Les arrangements qui ont été effectués en accord avec les dispositions qui précèdent permettent à la République fédérale d'Allemagne d'étendre à Berlin le champ d'application des accords internationaux conclus par elle, pourvu que certaines conditions soient respectées. D'après ces conditions, la décision finale sur l'extension du champ d'application de l'accord international est laissée dans chaque cas à la Kommandatura interalliée. En outre, une action particulière des autorités berlinoises est requise pour rendre tout accord international de cet ordre applicable en tant que droit interne à Berlin.

Il est clair que cette procédure, conforme au statut spécial de la ville, sauvegarde entièrement les droits et les responsabilités de la Kommandatura interalliée et, par son intermédiaire, des Puissances alliées qui demeurent en toute hypothèse compétentes pour décider de l'extension à Berlin des accords internationaux conclus par la République fédérale d'Allemagne.

Il s'ensuit que les objections soulevées ... ne sont pas fondées.

## DECLARATION

*Received by the Director-General of the United Nations Educational, Scientific and Cultural Organization on:*

5 September 1968

FEDERAL REPUBLIC OF GERMANY

[TRANSLATION — TRADUCTION]

Berlin is part of Germany, but its relations with authorities abroad are still reserved to the Allied Kommandatura as the supreme authority in Berlin. In paragraph III (c) of the Declaration on Berlin of May 5, 1955, however, which accords with instruments that previously entered into force, such as the Declaration referred to in the Allied Kommandatura's letter of May 21, 1952, the Allied Kommandatura has authorized the Berlin authorities to assure the representation abroad of the interests of Berlin and its inhabitants under suitable arrangements. Such arrangements have been made with the Government of the Federal Republic of Germany, which is the only German Government freely and legally constituted.

The arrangements made in accordance with the foregoing permit the Federal Republic of Germany to extend to Berlin the international agreements which the Federal Republic concludes, provided that certain conditions are observed. Under these conditions the final decision in every case on the extension of the international agreement to Berlin is left to the Allied Kommandatura. In addition, internal Berlin action is required to make any such international agreement applicable as domestic law in Berlin.

## DÉCLARATION

*Reçue par le Directeur général de l'Organisation des Nations Unies pour l'éducation, la science et la culture le :*

5 septembre 1968

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

«Berlin fait partie de l'Allemagne. Les rapports de Berlin avec les autorités étrangères sont cependant actuellement réservés à la Kommandatura inter-alliée, en tant qu'autorité suprême à Berlin. Toutefois, dans le paragraphe III (c) de la Déclaration sur Berlin publiée le 5 mai 1955 qui concorde avec les textes entrés en vigueur dès avant cette date, telle que la Déclaration à laquelle se réfère sa lettre du 21 mai 1952, la Kommandatura inter-alliée a autorisé les autorités berlinoises à faire assurer la représentation à l'étranger des intérêts de Berlin et de ses habitants par des arrangements appropriés. De tels arrangements ont été conclus avec le Gouvernement de la République fédérale d'Allemagne, qui est le seul Gouvernement allemand librement et légitimement constitué.

«Les arrangements qui ont été effectués en accord avec les dispositions qui précèdent permettent à la République fédérale d'Allemagne d'étendre à Berlin le champ d'application des accords internationaux conclus par elle, pourvu que certaines conditions soient respectées. D'après ces conditions, la décision finale sur l'extension du champ d'application de l'accord international est laissée dans chaque cas à la Kommandatura inter-alliée. En outre, une action particulière des autorités berlinoises est requise pour rendre tout accord international de cet ordre applicable en tant que droit interne à Berlin.



It is clear that this procedure, which accords with the special status of the city, safeguards entirely the rights and responsibilities of the Allied Kommandatura and, through it, those of the Allied Powers, who remain in any event competent to decide on the extension to Berlin of the international agreements concluded by the Federal Republic of Germany.

It follows that the objections raised by the Commission of the Ukrainian SSR for Unesco are unfounded.

*Certified statements were registered by the United Nations Educational, Scientific and Cultural Organization on 6 July 1983.*

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«Il est clair que cette procédure, conforme au statut spécial de la ville, sauvegarde entièrement les droits et les responsabilités de la Kommandatura interalliée et, par son intermédiaire, des Puissance alliées qui demeurent en toute hypothèse compétentes pour décider de l'extension à Berlin des accords internationaux conclus par la République fédérale Allemagne.

«Il s'ensuit que les objections soulevées par la Commission de la RSS d'Ukraine pour l'Unesco ne sont pas fondées.»

*Les déclarations certifiées ont été enregistrées par l'Organisation des Nations Unies pour l'éducation, la science et la culture le 6 juillet 1983.*

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