

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1966 Nr. 96

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A. TITEL

*Verdrag inzake de bescherming van culturele goederen in geval van een gewapend conflict, met Reglement van Uitvoering, en een Protocol;  
's-Gravenhage, 14 mei 1954*

B. TEKST

De tekst van Verdrag, Reglement en Protocol is geplaatst in *Trb.* 1955, 47.  
Zie voorts *Trb.* 1958, 148.

C. VERTALING

Zie *Trb.* 1955, 47.

D. GOEDKEURING

Zie *Trb.* 1958, 148.

E. BEKRACHTIGING

Behalve door de in *Trb.* 1958, 148 en *Trb.* 1961, 53 genoemde Staten zijn nog overeenkomstig artikel 31, lid 2, van het Verdrag en artikel III, lid 7, onder *b*, van het Protocol bij de Directeur-Generaal van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur akten van bekrachtiging nedergelegd door:

Noorwegen <sup>2)</sup> ..... 19 september 1961  
Luxemburg ..... 29 september 1961

Kambodja .....	4 april 1962
Oostenrijk .....	25 maart 1964

De Regering van de Bondsrepubliek Duitsland heeft op 12 januari 1962 medegedeeld dat zij, overeenkomstig artikel 18, lid 3, van het Verdrag, de bepalingen van het Verdrag van toepassing acht op haar grondgebied, zulks in afwachting van de definitieve nederlegging van de akte van bekrachtiging.

<sup>1)</sup> Bekrachtiging alleen van het Protocol.

<sup>2)</sup> De akte van bekrachtiging van Noorwegen bevatte het voorbehoud „que la restitution des biens culturels conformément aux dispositions de la Partie I et II du Protocole ne pourra être exigée après l'expiration d'un délai de vingt ans à compter de la date à laquelle le bien en question est parvenu à la possession d'un détenteur de bonne foi.”

Tegen dit voorbehoud is door de volgende Staten bezwaar gemaakt: Bulgarije, India, Italië, Madagascar, Mexico, het Koninkrijk der Nederlanden, Polen, Roemenië, San Marino, de Sowjet-Unie, Spanje, Tsjecho-Slowakije, de Verenigde Arabische Republiek en Witrusland.

#### F. TOETREDING

Behalve door de in *Trb.* 1958, 148 en *Trb.* 1961, 53 genoemde Staten zijn nog overeenkomstig artikel 32 van het Verdrag en artikel III, lid 8, van het Protocol bij de Directeur-Generaal van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur akten van toetreding nedergelegd door:

Mali .....	18 mei 1961
de Bondsrepubliek Nigeria .....	5 juni 1961
Kameroen .....	12 oktober 1961
Madagascar .....	3 november 1961
Gabon .....	4 december 1961
Guinee <sup>1)</sup> .....	11 december 1961
Zwitserland .....	15 mei 1962
Panama <sup>2)</sup> .....	17 juli 1962
Cyprus .....	9 september 1964
de Mongoolse Volksrepubliek <sup>2)</sup> .....	4 november 1964

<sup>1)</sup> Toetreding alleen tot het Protocol.

<sup>2)</sup> Toetreding alleen tot het Verdrag.

#### G. INWERKINGTREDING

Zie *Trb.* 1958, 148.

De bepalingen van Verdrag en Protocol zijn vanwege de op Cyprus heersende omstandigheden met toepassing van respectievelijk artikel 33, lid 3, van het Verdrag en artikel III, lid 10(c) van het Protocol in werking getreden op 9 september 1964.

J. GEGEVENS

Zie *Trb.* 1955, 47, *Trb.* 1958, 148 en *Trb.* 1961, 53.

Voor het Statuut van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur (UNESCO) zie ook, laatstelijk, *Trb.* 1965, 78.

Voor het Statuut van het Internationale Gerechtshof zie ook *Trb.* 1965, 171.

De Algemene Conferentie van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur aanvaardde tijdens haar negende zitting op 5 december 1956 een resolutie houdende de oprichting van een Internationaal Centrum voor de studie tot het behoud en de restauratie van culturele goederen. De Engelse tekst van deze resolutie, alsmede de daarbij behorende Bijlage bevattende het Statuut van het Centrum, luidt als volgt:

“The General Conference

Considering that it is incumbent on the Organization, in accordance with Article 1 of its Constitution, to maintain, increase and diffuse knowledge by assuring the conservation and protection of the world's historic and scientific inheritance,

Considering that modern scientific research has led to the use of new methods for the preservation of cultural property, more reliable and more effective than those employed in the past,

Considering that it is essential that, in the treatment of treasures making up the world's heritage, due account should be taken of the latest scientific advances,

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 institutes;

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;

Authorizes the Director-General to conclude with the Italian Government and to sign the agreement, the text of which is contained in Annex II of document 9C/PRG/10.

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## ANNEX

**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 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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In overeenstemming met artikel 2 van het Statuut hebben de volgende Staten een verklaring van toetreding gezonden aan de Directeur-Generaal van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur:

Oostenrijk .....	6 mei 1957
de Dominicaanse Republiek .....	11 maart 1958
Spanje .....	23 april 1958
Marokko .....	28 april 1958
Polen .....	10 mei 1958
Israël .....	1 juni 1958
Libanon .....	4 juli 1958
Jordanië .....	10 juli 1958



Ceylon .....	9 september 1958
Ghana .....	23 februari 1959
Zwitserland .....	27 maart 1959
het Koninkrijk der Nederlanden .....	16 april 1959
Zuidslavië .....	17 juni 1959
België .....	7 juli 1959
Libië .....	1 september 1959
de Verenigde Arabische Republiek .....	5 november 1959
Bulgarije .....	12 januari 1960
Roemenië .....	19 januari 1960
Italië .....	24 oktober 1960
Soedan .....	10 november 1960
Gabon .....	20 maart 1961
Kambodja .....	13 juni 1961
Mexico .....	8 augustus 1961
India .....	2 oktober 1961
de Bondsrepubliek Nigeria .....	12 december 1961
Peru .....	7 februari 1962
Guinee .....	19 februari 1962
Koeweit .....	27 maart 1962
Cyprus .....	6 mei 1963
Madagascar .....	3 september 1963
Pakistan .....	2 januari 1964
Brazilië .....	21 augustus 1964
Frankrijk .....	29 september 1964
de Bondsrepubliek Duitsland .....	30 oktober 1964
Malta .....	24 augustus 1965

Het Statuut is ingevolge zijn artikel 15 op 10 mei 1958 in werking getreden.

De aan het slot van de resolutie genoemde Overeenkomst tussen de Regering van de Italiaanse Republiek en de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur regelende de vestiging en wettelijke positie van het Internationaal Centrum voor de studie tot het behoud en de restauratie van culturele goederen is op 27 april 1957 te Rome gesloten.

De Overeenkomst is bekrachtigd en de akten van bekrachtiging zijn op 24 oktober 1960 te Parijs uitgewisseld. De Overeenkomst is ingevolge haar bepalingen op 24 oktober 1960 in werking getreden.

Uitgegeven de veertiende januari 1966.

*De Minister van Buitenlandse Zaken,*  
J. LUNS.