

21 (1998) Nr. 1

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 1998 Nr. 201**

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A. TITEL

*Protocol tot wijziging van de Europese Overeenkomst voor de  
bescherming van gewervelde dieren die worden gebruikt voor  
experimentele en andere wetenschappelijke doeleinden;  
Straatsburg, 22 juni 1998*

B. TEKST**Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes**

The member States of the Council of Europe and the European Community, signatories to this Protocol to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes, opened for signature in Strasbourg, on 18 March 1986 (hereinafter referred to as “the Convention”),

Having regard to the Convention which includes general provisions designed to safeguard animals intended to be used for scientific purposes from suffering, pain and distress, and to the member States’ resolve to limit the use of animals for experimental and other scientific purposes, with the aim of replacing such use whenever possible, in particular by seeking alternative measures and encouraging the use of these alternative measures;

Considering the technical nature of the provisions included in the appendices to the Convention;

Acknowledging the need to ensure their consistency with the results of research in the fields covered,

Have agreed as follows:

**Article 1**

Article 30 of the Convention shall be amended as follows:

“1. The Parties shall, within five years from the entry into force of this Convention and every five years thereafter, or more frequently if a majority of the Parties should so request, hold multilateral consultations within the Council of Europe to examine the application of this Convention, and the advisability of revising it or extending any of its provisions.

2. These consultations shall take place at meetings convened by the Secretary General of the Council of Europe. The Parties shall communicate the name of their representative to the Secretary General of the Council of Europe at least two months before each meeting.

3. Subject to the provisions of this Convention, the Parties shall draw up the rules of procedure for the consultations.”

**Article 2**

The Convention shall be supplemented by a new Part XI: “Amendments” including a new Article 31 as follows:

“1. Any amendment to Appendices A and B, proposed by a Party or by the Committee of Ministers of the Council of Europe shall be communicated to the Secretary General of the Council of Europe and forwarded by him to the member States of the Council of Europe, to the European Community and to any non-member State which has acceded to, or has been invited to accede to the Convention in accordance with the provisions of Article 34.

2. Any amendments proposed in accordance with the provisions of the preceding paragraph shall be examined, not less than six months after the date of forwarding by the Secretary General, at a multilateral consultation where it may be adopted by a two-thirds majority of the Parties. The text adopted shall be forwarded to the Parties.

3. Twelve months after its adoption at a multilateral consultation, any amendment shall enter into force unless one third of the Parties have notified objections.”

#### Article 3

Articles 31 to 37 of the Convention shall become Articles 32 to 38 respectively.

#### Article 4

1. This Protocol shall be open for signature by the Signatories to the Convention, which may become Parties to this Protocol by:

- a) signature without reservation as to ratification, acceptance or approval; or
- b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.

2. A Signatory of the Convention may not sign this Protocol without reservation as to ratification, acceptance or approval, nor deposit an instrument of ratification, acceptance or approval, unless it has already deposited or simultaneously deposits an instrument of ratification, acceptance or approval of the Convention.

3. States which have acceded to the Convention may also accede to this Protocol.

4. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary General of the Council of Europe.

#### Article 5

This Protocol shall enter into force on the thirtieth day after the date on which all the Parties to the Convention have become Parties to this Protocol in accordance with Article 4.

## Article 6

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the other Parties to the Convention and the European Community of:

- a) any signature without reservation in respect of ratification, acceptance or approval;
- b) any signature with reservation in respect of ratification, acceptance or approval;
- c) any deposit of an instrument of ratification, acceptance, approval or accession;
- d) any date of entry into force of this Protocol in accordance with Article 5 thereof;
- e) any other act, notification or communication relating to this Protocol.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Protocol.

DONE at Strasbourg, this 22nd day of June 1998, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to the other Parties to the Convention and to the European Community.

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Het Protocol is ondertekend voor:

Finland <sup>1)</sup> . . . . .	22 juni 1998
Frankrijk <sup>1)</sup> . . . . .	22 juni 1998
het <i>Koninkrijk der Nederlanden</i> <sup>1)</sup> . . . . .	22 juni 1998
Zweden <sup>2)</sup> . . . . .	22 juni 1998
Denemarken <sup>1)</sup> . . . . .	26 juni 1998

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<sup>1)</sup> Onder voorbehoud van bekrachtiging, aanvaarding of goedkeuring.

<sup>2)</sup> Zonder voorbehoud van bekrachtiging.



D. PARLEMENT

Het Protocol behoeft ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan het Protocol kan worden gebonden.

E. BEKRACHTIGING

De mogelijkheid van bekrachtiging, aanvaarding of goedkeuring van het Protocol is voorzien in artikel 4, eerste lid, letter b.

G. INWERKINGTREDING

De bepalingen van het Protocol zullen ingevolge artikel 5 in werking treden op de dertigste dag na de datum waarop alle Partijen bij de Europese Overeenkomst voor de bescherming van gewervelde dieren die worden gebruikt voor experimentele en andere wetenschappelijke doeleinden van 1986 partij zijn geworden bij het Protocol in overeenstemming met artikel 4 van het Protocol.

J. GEGEVENS

Van het op 5 mei 1949 te Londen tot stand gekomen Statuut van de Raad van Europa, naar welke Organisatie onder meer in de preambule tot het onderhavige Protocol wordt verwezen, zijn tekst en vertaling, zoals deze luiden na de tiende wijziging, geplaatst in *Trb.* 1975, 70; zie ook, laatstelijk, *Trb.* 1996, 355.

Van het op 25 maart 1957 te Rome tot stand gekomen Verdrag tot oprichting van de Europese Gemeenschap, naar welke Organisatie onder meer in de preambule tot het onderhavige Protocol wordt verwezen, is de Franse tekst geplaatst in *Trb.* 1957, 74 en de Nederlandse tekst in *Trb.* 1957, 91; zie ook, laatstelijk, *Trb.* 1998, 13.

Van de op 18 maart 1986 te Straatsburg tot stand gekomen Overeenkomst voor de bescherming van gewervelde dieren die worden gebruikt voor experimentele en andere wetenschappelijke doeleinden, naar welke Overeenkomst in de preambule tot het onderhavige Protocol wordt verwezen, zijn tekst en vertaling geplaatst in *Trb.* 1986, 197; zie ook *Trb.* 1997, 65.

Uitgegeven de *dertiende* augustus 1998.

*De Minister van Buitenlandse Zaken,*

J. J. VAN AARTSEN