

No. 10793

MULTILATERAL

**Protocol concerning the establishment of European Schools,
drawn up in reference to the Statute of the European
School signed at Luxembourg on 12 April 1957 (with
protocol relating to its provisional application). Signed
at Luxembourg on 13 April 1962**

Authentic texts: French, German, Italian and Dutch.

Registered by Luxembourg on 14 October 1970.

MULTILATÉRAL

**Protocole concernant la création d'écoles européennes établi
par référence au Statut de l'École européenne signé à
Luxembourg le 12 avril 1957 (avec protocole relatif à
son application provisoire). Signé à Luxembourg le
13 avril 1962**

Textes authentiques : français, allemand, italien et néerlandais.

Enregistré par le Luxembourg le 14 octobre 1970.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ CONCERNING THE ESTABLISHMENT OF
EUROPEAN SCHOOLS, DRAWN UP IN REFERENCE
TO THE STATUTE OF THE EUROPEAN SCHOOL
SIGNED AT LUXEMBOURG ON 12 APRIL 1957²

The Governments of: the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, duly represented by:

Baron François de Selys-Longchamps, Ambassador Extraordinary and Plenipotentiary of Belgium to Luxembourg;

Mr. Bernd Mumm von Schwarzenstein, Ambassador Extraordinary and Plenipotentiary of the Federal Republic of Germany to Luxembourg;

Mr. Edouard-Félix Guyon, Ambassador Extraordinary and Plenipotentiary of France to Luxembourg;

Mr. Giorgio Bombassei Frascani de Vettor, Ambassador Extraordinary and Plenipotentiary of Italy to Luxembourg;

Mr. Eugène Schaus, Minister for Foreign Affairs of the Grand Duchy of Luxembourg, and

Mr. Emile Schaus, Minister of Education of the Grand Duchy of Luxembourg;

¹ Came into force on 12 June 1970, the day on which the fourth instrument of ratification was deposited with the Government of Luxembourg, in accordance with article 9. The instruments of ratification were deposited as indicated hereafter:

State	Date of deposit
Netherlands	5 April 1963
(For the Kingdom in Europe)	
Luxembourg	21 October 1964
Italy	21 June 1965
Federal Republic of Germany	12 June 1970
(With a declaration that the Protocol is also applicable to <i>Land Berlin</i> with effect from the day on which it entered into force for the Federal Republic of Germany.)	

Subsequently, the Protocol came into force for France on 16 July 1970, the date of the deposit of its instrument of ratification with the Government of Luxembourg.

In accordance with article 1 of the Protocol concerning the provisional application, the Protocol concerning the establishment of European Schools has been applied provisionally as from 1 September 1960 to the extent that it is authorized by the Constitution and the Statutes of the Contracting Parties.

² United Nations, *Treaty Series*, vol. 443, p. 128.

Jonkheer Otto Reuchlin, Ambassador Extraordinary and Plenipotentiary of the Netherlands to Luxembourg;

Having regard to the Statute of the European School, signed at Luxembourg on 12 April 1957, and the Annex to the Statute of the European School containing Regulations for the European School Leaving Certificate (*Baccalauréat européen*), signed at Luxembourg on 15 July 1957¹;

Considering the success of this experiment in providing common instruction and education for children of different nationalities, on the basis of a common curriculum;

Considering that it is in the cultural interest of the participating States to broaden the foundations of an undertaking which is in keeping with the spirit of co-operation by which they are guided;

Considering that it is desirable to repeat the experiment of the European School in other places;

Have agreed and resolved as follows:

Article 1

With a view to the common education and instruction of children of the staff of the European Communities, establishments to be known as "European Schools" may be established in the territory of the Contracting Parties.

Other children, irrespective of their nationality, may also be admitted to the Schools.

Such establishments shall, subject to the following articles, be governed by the provisions of the Statute of the European School, signed at Luxembourg on 12 April 1957, and of the Regulations for the European School Leaving Certificate (*Baccalauréat européen*), signed at Luxembourg on 15 July 1957.

Article 2

The Executive Board shall take a unanimous decision concerning the establishment of new European Schools and shall determine their location.

Article 3

The powers conferred by the Statute of the European School on the Executive Board, the Boards of Inspection and the representative

¹ United Nations, *Treaty Series*, vol. 443, p. 128.

of the Executive Board who is Chairman of the Administrative Board shall extend to any School established in accordance with article 1.

Each School shall be a separate legal entity, in accordance with the provisions of article 6 of the Statute of the European School.

Each School shall have its own Administrative Board and Director.

Article 4

The Executive Board may negotiate any agreements pertaining to such establishments with the European Communities and with any other inter-governmental organizations or agencies which, by reason of their location, are interested in the operation of such establishments. Such organizations or agencies shall then be given a seat and a vote in the Executive Board in respect of all matters relating to the establishment in question, as well as a seat on its Administrative Board.

However, any decision which, in accordance with article 10 of the Statute of the European School, must be adopted by a majority shall be valid only if it receives the support of two thirds of the representatives of the Contracting Parties.

All decisions regarding the financing of an establishment shall be taken unanimously by the Parties represented in the Executive Board.

Article 5

The Executive Board may also negotiate agreements with private institutions or agencies which, by reason of their location, are interested in the operation of one of the European Schools established pursuant to this Protocol.

The Executive Board may allocate a seat on the Administrative Board of the establishment in question to such institutions or agencies.

Article 6

The financial year of each School shall coincide with the calendar year.

Article 7

In budgetary matters, the Executive Board shall notwithstanding the provisions of article 13 of the Statute of the European School, approve for its part the budget estimates and the annual statement of accounts and then transmit them to the competent authorities of the European Communities.

Article 8

The Government of any host country of a School established in accordance with article 2 above may enter such reservations as are provided for in article 29 of the Statute of the European School.

Article 9

This Protocol shall be ratified. The instruments of ratification shall be deposited with the Luxembourg Government, being the depositary of the Statute of the European School. The said Government shall notify all the other signatory Governments of such deposit.

This Protocol shall enter into force on the date on which the fourth instrument of ratification is deposited.

This Protocol, which has been prepared in one copy in the German, French, Italian and Dutch languages, all four texts equally authentic, shall be deposited in the archives of the Luxembourg Government, which shall provide each of the Contracting Parties with a certified copy.

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

DONE at Luxembourg, on 13 April 1962.

FRANÇOIS DE SELYS-LONGCHAMPS
BERND MUMM VON SCHWARZENSTEIN
E. F. GUYON
BOMBASSEI DE VETTOR
E. SCHAUS EMILE SCHAUS
REUCHLIN

PROTOCOL RELATING TO THE PROVISIONAL APPLICATION
OF THE PROTOCOL CONCERNING THE ESTABLISHMENT
OF EUROPEAN SCHOOLS SIGNED AT LUXEMBOURG ON
13 APRIL 1962

The Contracting Parties to the Protocol concerning the Establishment of European Schools, signed at Luxembourg on 13 April 1962,

Having regard to the Statute of the European School, which was signed at Luxembourg on 12 April 1957 and entered into force on 22 February 1960 in accordance with the provisions of article 32 of the said Statute,

Desiring to ensure, in so far as possible, the immediate application of

the provisions of that Protocol, pending its entry into force in accordance with article 9 thereof,

Have agreed as follows :

Sole article

The Protocol concerning the Establishment of European Schools, drawn up in reference to the Statute of the School at Luxembourg, shall be applied on a provisional basis as from 1 September 1960, to the extent permitted by the Constitutions and legislation of the Contracting Parties.

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

DONE at Luxembourg, on 13 April 1962.

FRANÇOIS DE SELYS-LONGCHAMPS
BERND MUMM VON SCHWARZENSTEIN
E. F. GUYON
BOMBASSEI DE VETTOR
E. SCHAUS EMILE SCHAUS
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