

No. 13177

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**BELGIUM, LUXEMBOURG  
and  
NETHERLANDS**

**Benelux Convention relating to the exercise of the profession of attorney. Signed at Brussels on 12 December 1968**

*Authentic texts: Dutch and French.*

*Registered by Belgium on 25 March 1974.*

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**BELGIQUE, LUXEMBOURG  
et  
PAYS-BAS**

**Convention Benelux relative à l'exercice de la profession d'avocat. Signée à Bruxelles le 12 décembre 1968**

*Textes authentiques : néerlandais et français.*

*Enregistrée par la Belgique le 25 mars 1974.*

## [TRANSLATION — TRADUCTION]

BENELUX CONVENTION<sup>1</sup> RELATING TO THE EXERCISE OF  
THE PROFESSION OF ATTORNEY

The Governments of the Benelux States which are signatories to this Convention,

Considering that, because of the growing integration of the economies of the Benelux countries and the increase in the number of legal rules which are common to them, it is desirable to facilitate the exercise of the activities of attorneys and hence the administration of justice,

Have agreed as follows:

*Article 1.* 1. Attorneys registered at a bar of a Contracting State, if assisted by an attorney entitled to plead cases at the place where their services are rendered, may plead civil, criminal and administrative cases before the courts or other authorities of the other Contracting State and shall have the same prerogatives and assume the same obligations as the attorney who assists them.

2. The right to plead a case implies access to the dossier and the right to visit the detained person.

*Article 2.* Attorneys may wear the dress of their bar of origin or of the receiving bar, as appropriate.

*Article 3.* 1. Any violation of professional ethics committed by an attorney while performing the services referred to in article 1 shall be triable by the disciplinary authorities of the receiving bar without prejudice to the competence of the disciplinary authorities of the bar of origin.

2. The disciplinary council of the receiving bar may forbid an attorney to engage in the activities referred to in article 1 within the limits of the district in which the head office of the bar is situated and for a period not exceeding one year. The President of the bar shall have the same power in cases of emergency, to the extent that the emergency so requires.

3. The disciplinary authorities of the bar of origin shall be informed of the decision and of the reasons which motivated it.

*Article 4.* In so far as this Convention is in force in the three Benelux countries, its provisions shall be designated as common legal rules for the application of chapters III and IV of the Treaty of 31 March 1965 concerning the establishment and the statute of a Benelux Court of Justice.<sup>2</sup>

*Article 5.* 1. With respect to the Kingdom of the Netherlands, this Convention shall apply only to the territory situated in Europe.

<sup>1</sup> Came into force on 1 September 1971, i.e. the first day of the second month following the date of deposit with the Government of Belgium of the second instrument of ratification, in accordance with article 7 (2). The instruments were deposited as follows:

<i>State</i>	<i>Date of deposit</i>	
Netherlands .....	10 July	1969
Belgium .....	30 July	1971

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

2. The Government of the Kingdom of the Netherlands may extend the application of this Convention to Surinam and the Netherlands Antilles by a declaration to that effect to be submitted to the Belgian Government. The extension shall take effect on the first day of the second month following the date of the receipt of such a declaration by the Belgian Government.

*Article 6.* This Convention is open for signature by the Governments of the Benelux countries.

*Article 7.* 1. This Convention shall be ratified, and the instruments of ratification shall be deposited with the Belgian Government.

2. This Convention shall enter into force on the first day of the second month following the date of deposit of the second instrument of ratification.

3. For the Government of the Benelux country which ratifies the Convention after the depositing of the second instrument of ratification, the Convention shall enter into force on the first day of the second month following the date of the depositing of that Government's instrument of ratification.

*Article 8.* 1. This Convention may be denounced only after consultations between the Governments of the Benelux countries.

2. Denunciation shall be made by a notification addressed to the Belgian Government. The denunciation shall take effect one year after the date on which the Belgian Government receives the notification of denunciation. If the Convention is in force for the three Benelux countries, denunciation shall take effect only in respect of the Government of the Benelux country which has given notification of it.

3. Denunciation by the Government of the Kingdom of the Netherlands may be limited to the territories, or to one of the territories, referred to in articles 5, paragraph 2.

*Article 9.* The Belgian Government shall notify the Netherlands and Luxembourg Governments of:

- (a) each signature and each depositing of an instrument of ratification;
- (b) the dates on which this Convention enters into force under article 7, paragraphs 2 and 3;
- (c) the notifications received under article 5, paragraph 2, and article 8, paragraphs 2 and 3.

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

DONE at Brussels on 12 December 1968, in the Dutch and French languages, both texts being equally authentic, in a single copy, to be deposited in the archives of the Belgian Government, which shall transmit a certified copy thereof to each of the Governments of the three Benelux countries.

For the Government of the Kingdom of Belgium:

P. HARMEL

For the Government of the Grand Duchy of Luxembourg:

For the Government of the Kingdom of the Netherlands:

J. A. DE VOS VAN STEENWIJK

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