

No. 17826

MULTILATERAL

**European Convention on the social protection of farmers
(with annex). Concluded at Strasbourg on 6 May 1974**

Authentic texts: English and French.

*Registered by the Secretary-General of the Council of Europe, acting on
behalf of the Parties, on 30 May 1979.*

MULTILATÉRAL

**Convention européenne relative à la protection sociale
des agriculteurs (avec annexe). Conclue à Strasbourg le
6 mai 1974**

Textes authentiques : anglais et français.

*Enregistrée par le Secrétaire général du Conseil de l'Europe, agissant au nom
des Parties, le 30 mai 1979.*

EUROPEAN CONVENTION¹ ON THE SOCIAL PROTECTION OF FARMERS

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve greater unity between its members, in particular for the purpose of facilitating their economic and social progress,

Considering that the improvement of living conditions of farmers through the implementation of appropriate measures can contribute to social progress in Europe,

Recalling that the aim of the European Social Charter, also drawn up within the Council of Europe and opened to signature by member States on 18 October 1961,² is to improve the standard of living and to promote the social well-being of both their urban and rural populations,

Considering that the special conditions and characteristics of farming as well as the changes taking place in the farming world require the adoption of appropriate measures to promote the social well-being of farmers,

Considering, in consequence, that measures should be taken to extend and to reinforce the social protection of farmers, the members of their families and, where appropriate, their paid employees, with due regard to the social needs of these persons and to the special conditions of farming,

Have agreed as follows:

PART I

Article 1. Each Contracting Party undertakes to apply the provisions of this Convention to its nationals, resident in its territory.

Article 2. For the purposes of this Convention, the term “farmer” means any self-employed person occupied exclusively or mainly in agriculture, horticulture, forestry, viticulture or other similar work, it being understood that he may be assisted in such work by members of his family and/or paid employees.

¹ Came into force on 17 June 1977, i.e., three months after the date of deposit with the Secretary-General of the Council of Europe of the third instrument of ratification, acceptance or approval, in accordance with article 15 (1) and (2). Instruments of ratification, acceptance or approval were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Switzerland*	21 November 1975
Belgium*	24 September 1976
Luxembourg*	16 March 1977

Subsequently, the Convention came into force for the following State three months after the date of the deposit of its instrument of approval with the Secretary-General of the Council of Europe, in accordance with article 15 (1) and (3):

<i>State</i>	<i>Date of deposit of the instrument of approval (AA)</i>
Netherlands*	11 May 1979 AA
(With effect from 12 August 1979.)	

* See p. 77 of this volume for the texts of the reservations and declarations made upon ratification or approval.

² United Nations, *Treaty Series*, vol. 529, p. 89.

PART II

Article 3. Each Contracting Party shall ensure to farmers, the members of their families and, where appropriate, their paid employees, social protection comparable to that enjoyed by other groups of the population, account being taken of the provisions of articles 4 to 13 of this Convention.

Article 4. 1. Each Contracting Party shall apply, as far as appropriate, to farmers and persons entitled through them, the social security standards laid down by its laws for the other protected categories of the population.

2. Without prejudice to the provisions of paragraph 1 of this article, each Contracting Party shall grant farmers, within appropriate conditions and time-limits, social security protection in respect of at least four of the following contingencies: sickness, maternity, invalidity, old age, death, occupational injuries and diseases and family commitments.

Article 5. 1. Each Contracting Party shall ensure that when a farmer ceases farming for structural or other reasons to be determined by the Contracting Party, he, the members of his family and, where appropriate, any of his paid employees, shall benefit from appropriate measures.

These measures shall include:

- (a) The provision of facilities to enable them to take up a new activity preferably in their own region, in particular, arrangements for vocational guidance, training and re-training;
- (b) The payment of temporary allowances to enable them to prepare for another activity;
- (c) The maintenance of acquired rights and of rights in the course of acquisition with regard to social security;
- (d) The payment of fair compensation or appropriate grants to a farmer who, because of his age, has difficulty in taking up another activity, provided that his ceasing farming contributes towards structural improvement.

2. Cessation of farming is not to be interpreted, for the purposes of this article, as excluding the retention by the farmer of a limited area of land for his personal needs.

3. Each Contracting Party shall ensure that when a farmer only partially ceases farming for structural or other reasons to be determined by the Contracting Party, he, the members of his family, and, where appropriate, any of his paid employees, shall benefit from the measures mentioned in sub-paragraphs (a), (b) and (c) of paragraph 1 above, suitably modified to meet needs.

Article 6. Each Contracting Party shall take appropriate measures to make farmers aware of the objectives of its farming policy, to consult, where appropriate, with farming interests in relation to this policy and to keep farmers informed of relevant international developments in farming.

Article 7. In the formulation of its regional development policy, each Contracting Party shall take account of the problems caused by the loss of employment in farming areas, in particular with a view to creating new employment there.

Article 8. 1. Each Contracting Party shall take appropriate measures with a view to:

- (a) Assuring the provision of adequate socio-cultural facilities in farming areas;
- (b) Encouraging the improvement of living and sanitary conditions in farm buildings for the benefit of farmers, the members of their families and, where appropriate, their paid employees;
- (c) Granting advantages such as long-term loans, subsidies or low-interest loans to farmers, to facilitate, *inter alia*, the implementation of the measures referred to in sub-paragraph (b) above.

2. Each Contracting Party shall also take appropriate measures to make it possible for farmers in areas to be specified by it, to continue farming and to contribute, at the same time, to the upkeep and protection of the countryside, nature conservation, the development of recreational facilities and the maintenance of a suitable demographic balance in those areas.

Article 9. Each Contracting Party shall take or encourage appropriate measures to guarantee to children resident in farming areas an education and a training of a level equivalent to that enjoyed by children in urban areas. These measures shall relate particularly to:

- (a) Grants for the construction of such school buildings as are necessary for the gradual abolition of classes comprising children of all ages;
- (b) Transport to and from schools;
- (c) The appointment of sufficient qualified teachers to schools in farming areas.

Article 10. Each Contracting Party shall take or encourage measures to benefit young persons in farming areas, particularly with a view to:

- (a) Securing that qualified counsellors are available to give vocational guidance appropriate to their needs, including before school leaving age;
- (b) Ensuring that they receive such general education and vocational training as will give them opportunities equal to those enjoyed by other young persons as regards integration into working life;
- (c) Creating or improving, as necessary, vocational schools, training and further training centres and farming colleges;
- (d) Providing them with educational grants under such conditions as will afford them opportunities equal to those enjoyed by other young persons.

Article 11. Each Contracting Party shall encourage the provision, in farming areas, of advisory and information services dealing with farming matters and the evolution of the labour market in other sectors of the economy.

Article 12. Each Contracting Party, in order to ensure as favourable working conditions on farms as possible, shall facilitate and encourage various forms of co-operation, mutual assistance between farmers and, where appropriate, supply of temporary helpers.

Article 13. With a view to facilitating the tasks inherent in family life on farms, each Contracting Party shall encourage:

- (a) The use of facilities intended to simplify and lighten household tasks;
- (b) The provision of home aid and family help services.

Article 14. The provisions of this Convention shall not prejudice the provisions of any international conventions or agreements which are already in force or may come into force under which more favourable treatment would be accorded to the persons referred to in this Convention.

PART III

Article 15. 1. This Convention shall be open to signature by the member States of the Council of Europe. It shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

2. This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or approval.

3. In respect of a signatory State ratifying, accepting or approving subsequently, the Convention shall enter into force three months after the date of the deposit of its instrument of ratification, acceptance or approval.

Article 16. 1. After the entry into force of the Convention, the Committee of Ministers of the Council of Europe may invite any non-member State to accede thereto.

2. Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect three months after the date of its deposit.

Article 17. 1. Any State may, at the time of signature or when depositing its instruments of ratification, acceptance, approval or accession specify the territory or territories to which this Convention shall apply.

2. Any State may, when depositing its instrument of ratification, acceptance, approval or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend this Convention to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorized to give undertakings.

3. Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn. Such withdrawal shall take effect six months after the date of receipt by the Secretary General of the Council of Europe of the declaration of withdrawal.

Article 18. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the benefit of this Convention, or of those provisions thereof which it shall specify, to persons other than its nationals, resident in the territory or territories specified in accordance with article 17 and designated in the declaration.

Article 19. 1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, declare that it avails itself of one or more of the reservations provided for in the annex to this Convention. No other reservation shall be admissible.

2. Any State may wholly or partly withdraw a reservation it has made in accordance with the foregoing paragraph by means of a declaration addressed to the

Secretary General of the Council of Europe which shall become effective as from the date of its receipt.

Article 20. 1. No Contracting Party may denounce this Convention before the end of a period of four years from the date on which the Convention entered into force for it or before the end of any successive period of three years.

2. Such denunciation shall be effected by means of a notification addressed to the Secretary General of the Council of Europe and shall take effect six months after the date of receipt by the Secretary General of such notification.

Article 21. The Secretary General of the Council of Europe shall notify member States of the Council of Europe and any State which has acceded to this Convention of:

- (a) Any signature;
- (b) Any deposit of an instrument of ratification, acceptance, approval or accession;
- (c) Any date of entry into force of this Convention in accordance with article 15 thereof;
- (d) Any declaration received in pursuance of the provisions of paragraphs 2 and 3 of article 17;
- (e) Any declaration received in pursuance of the provisions of article 18;
- (f) Any reservation made in pursuance of the provisions of paragraph 1 of article 19;
- (g) The withdrawal of any reservation carried out in pursuance of the provisions of paragraph 2 of article 19;
- (h) Any notification received in pursuance of the provisions of article 20 and the date on which denunciation takes effect.

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

DONE at Strasbourg, this 6th day of May 1974, in English and French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet, ont signé la présente Convention.

FAIT à Strasbourg, le 6 mai 1974, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé dans les archives du Conseil de l'Europe. Le Secrétaire général du Conseil de l'Europe en communiquera copie certifiée conforme à chacun des Etats signataires et adhérents.

For the Government
of the Republic of Austria:

Strasbourg, 3 décembre 1975

LAUBE¹

Pour le Gouvernement
de la République d'Autriche :

For the Government
of the Kingdom of Belgium:

Strasbourg, 25 septembre 1975

J. BOUHA

Pour le Gouvernement
du Royaume de Belgique :

For the Government
of the Republic of Cyprus:

Pour le Gouvernement
de la République de Chypre :

For the Government
of the Kingdom of Denmark:

OVE GULDBERG

Pour le Gouvernement
du Royaume de Danemark :

For the Government
of the French Republic:

J. DE LIPKOWSKI

Pour le Gouvernement
de la République française :

For the Government
of the Federal Republic
of Germany:

Pour le Gouvernement
de la République fédérale
d'Allemagne :

For the Government
of the Icelandic Republic:

Pour le Gouvernement
de la République islandaise :

For the Government:
of Ireland:

Pour le Gouvernement
d'Irlande :

¹ See p. 76 of this volume for the texts of the declarations made upon signature — Voir p. 76 du présent volume pour les textes des déclarations faites lors de la signature.

For the Government
of the Italian Republic:

MARIO PEDINI

Pour le Gouvernement
de la République italienne :

For the Government
of the Grand Duchy
of Luxembourg:

GASTON THORN

Pour le Gouvernement
du Grand-Duché
de Luxembourg :

For the Government
of Malta:

Pour le Gouvernement
de Malte :

For the Government
of the Kingdom of the Netherlands:

Strasbourg, le 18 janvier 1978

J. F. E. BREMAN

Pour le Gouvernement
du Royaume des Pays-Bas :

For the Government
of the Kingdom of Norway:

Pour le Gouvernement
du Royaume de Norvège :

For the Government
of the Kingdom of Sweden:

Pour le Gouvernement
du Royaume de Suède:

For the Government
of the Swiss Confederation:

Strasbourg, 4 octobre 1974

ALFRED WACKER

Pour le Gouvernement
de la Confédération suisse :

For the Government
of the Turkish Republic:

Pour le Gouvernement
de la République turque:

For the Government
of the United Kingdom of Great Britain
and Northern Ireland:

Strasbourg, 13 September 1977

PETER M. FOSTER¹

Pour le Gouvernement
du Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord :

¹ See p. 76 of this volume for the texts of the declarations made upon signature — Voir p. 76 du présent volume pour les textes des déclarations faites lors de la signature.

ANNEX

RESERVATIONS (*article 19, paragraph 1*)

Each of the Contracting Parties may declare that it reserves the right:

1. To exclude from the field of application of this Convention one or several of the following categories of persons:
 - Self-employed persons occupied exclusively or mainly in agriculture, horticulture, forestry, viticulture or other similar work, but not deriving the major part of their income from these activities;
 - Persons occupied exclusively in forestry;
2. Not to apply the provisions of article 5, paragraph 1, sub-paragraph (*b*);
3. Not to apply the provisions of article 5, paragraph 1, sub-paragraph (*c*);
4. Not to apply the provisions of article 5, paragraph 1, sub-paragraph (*d*);
5. Not to apply the provisions of article 5, paragraph 3.

DECLARATIONS MADE
UPON SIGNATUREDÉCLARATIONS FAITES
LORS DE LA SIGNATURE*AUSTRIA**AUTRICHE*

[GERMAN TEXT — TEXTE ALLEMAND]

„Gemäss Artikel 19 Absatz 1 dieses Übereinkommens erklärt die Republik Österreich, die Bestimmung des Artikels 5 Absatz 1 lit. *d* und die Bestimmung des Artikels 5 Absatz 3 nicht anzuwenden.“

[TRANSLATION¹ — TRADUCTION²]

In accordance with article 19, paragraph 1, of the European Convention on the Social Protection of Farmers, the Republic of Austria declares that it will not apply the provision of article 5, paragraph 1, sub-paragraph (*d*), or that of article 5, paragraph 3.

«Conformément à l'article 19, paragraphe 1, de la Convention européenne relative à la protection sociale des agriculteurs, la République d'Autriche déclare qu'elle n'appliquera pas la disposition de l'article 5, paragraphe 1, alinéa *d*, et celle de l'article 5, paragraphe 3.»

*UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRE-
LAND**ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE DU
NORD*[TRADUCTION¹ — TRANSLATION²]

“The United Kingdom, in accordance with the provisions of article 19, paragraph 1, of the European Convention on the Social Protection of Farmers and the annex thereto, declares that it reserves the right:

“1. To exclude from the field of application of this Convention one or several of the following categories of persons:

— Self-employed persons occupied exclusively or mainly in agriculture, horticulture, forestry, viticulture or other similar work, but not deriving the major part of their income from these activities;

Conformément aux dispositions de l'article 19, paragraphe 1, de la Convention européenne relative à la protection sociale des agriculteurs et de son annexe, le Royaume-Uni déclare qu'il se réserve le droit :

1) D'exclure du champ d'application de cette Convention une ou plusieurs des catégories de personnes suivantes :

— Les personnes qui, en qualité de travailleurs indépendants, consacrent exclusivement ou principalement leur activité à une profession agricole, sylvicole, horticole, viticole ou similaire, mais qui ne tirent pas la principale partie de leur revenu de cette activité;

¹ Translation supplied by the Council of Europe.

² Traduction fournie par le Conseil de l'Europe.

¹ Traduction fournie par le Conseil de l'Europe.

² Translation supplied by the Council of Europe.

- “— Persons occupied exclusively in forestry;
- “2. Not to apply the provisions of article 5, paragraph 1, sub-paragraph (c);
- “3. Not to apply the provisions of article 5, paragraph 1, sub-paragraph (d).”
- Les personnes qui consacrent exclusivement leur activité à la sylviculture;
- 2) De ne pas appliquer la disposition de l'article 5, paragraphe 1, alinéa c;
- 3) De ne pas appliquer la disposition de l'article 5, paragraphe 1, alinéa d.

RESERVATIONS AND DECLARATIONS MADE UPON RATIFICATION OR APPROVAL (AA)

RÉSERVES ET DÉCLARATIONS FAITES LORS DE LA RATIFICATION OU DE L'APPROBATION (AA)

BELGIUM

BELGIQUE

[TRANSLATION¹ — TRADUCTION²]

Belgium, availing itself of the possibility under article 19, paragraph 1, of the European Convention of the Social Protection of Farmers:

«La Belgique, faisant usage du droit conféré par l'article 19, paragraphe 1, de la Convention européenne relative à la protection sociale des agriculteurs :

- Excludes from the field of application of this Convention one or several of the following categories of persons:
- Self-employed persons occupied exclusively or mainly in agriculture, horticulture, forestry, viticulture or other similar work, but not deriving the major part of their income from these activities;
- Persons occupied exclusively in forestry; and
- Will not apply the provisions of article 5, paragraph 3.
- «— Exclut du champ d'application de la présente Convention une ou plusieurs des catégories de personnes suivantes :
- «— Les personnes qui, en qualité de travailleurs indépendants, consacrent exclusivement ou principalement leur activité à une profession agricole, sylvicole, horticole, viticole ou similaire, mais qui ne tirent pas la principale partie de leur revenu de cette activité;
- «— Les personnes qui consacrent exclusivement leur activité à la sylviculture; et
- «— N'appliquera pas les dispositions de l'article 5, paragraphe 3.»

LUXEMBOURG

LUXEMBOURG

[TRANSLATION¹ — TRADUCTION²]

The Grand Duchy of Luxembourg reserves the right not to apply the provi-

«Le Grand-Duché de Luxembourg se réserve de ne pas appliquer la disposition

¹ Translation supplied by the Council of Europe.

² Traduction fournie par le Conseil de l'Europe.

sion of article 5, paragraph 3, of the Convention.

NETHERLANDS AA

“In accordance with the provisions of article 19, paragraph 1, of the European Convention on the Social Protection of Farmers, the Kingdom of the Netherlands declares that it reserves the right provided for in the annex, points 1 and 5:

“— Point 1: to exclude from the field of application of this Convention the following categories of persons:

“— Self-employed persons occupied exclusively or mainly in agriculture, horticulture, forestry, viticulture or other similar work, but not deriving the major part of their income from these activities;

“— Persons occupied exclusively in forestry;

“— Point 5: not to apply the provisions of article 5, paragraph 3.”

SWITZERLAND

[TRANSLATION¹ — TRADUCTION²]

Switzerland, availing itself of the possibility under article 19 of the European Convention on the Social Protection of Farmers, declares that it reserves the right:

- Not to apply the provisions of article 5, paragraph 1, sub-paragraph (b);
- Not to apply the provisions of article 5, paragraph 1, sub-paragraph (c);

¹ Translation supplied by the Council of Europe.

² Traduction fournie par le Conseil de l'Europe.

de l'article 5, paragraphe 3, de la Convention.»

PAYS-BAS AA

[TRADUCTION¹ — TRANSLATION²]

Conformément aux dispositions de l'article 19, paragraphe 1, de la Convention européenne relative à la protection sociale des agriculteurs, le Royaume des Pays-Bas déclare faire usage des réserves prévues aux points 1 et 5 de l'annexe :

— Point 1 : d'exclure du champ d'application de cette Convention les catégories de personnes suivantes :

— Les personnes qui, en qualité de travailleurs indépendants, consacrent exclusivement ou principalement leur activité à une profession agricole, sylvicole, horticole, viticole ou similaire, mais qui ne tirent pas la principale partie de leur revenu de cette activité;

— Les personnes qui consacrent exclusivement leur activité à la sylviculture;

— Point 5 : de ne pas appliquer la disposition de l'article 5, paragraphe 3.

SUISSE

«La Suisse, faisant usage du droit conféré par l'article 19 de la Convention européenne relative à la protection sociale des agriculteurs, déclare :

- «— Ne pas appliquer la disposition de l'article 5, paragraphe 1, alinéa b;
- «— Ne pas appliquer la disposition de l'article 5, paragraphe 1, alinéa c;

¹ Traduction fournie par le Conseil de l'Europe.

² Translation supplied by the Council of Europe.

-
- Not to apply the provisions of article 5, paragraph 1, sub-paragraph (d);
 - Not to apply the provisions of article 5, paragraph 3.
- « — Ne pas appliquer la disposition de l'article 5, paragraphe 1, alinéa d;
 - « — Ne pas appliquer la disposition de l'article 5, paragraphe 3.»
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