

Draft Agreement relating to the Provisional Seat of the Community (August 1952)

Source: Archives Nationales du Luxembourg, Luxembourg. Ministère des Affaires étrangères. Instituts internationaux - Institutions spécialisées - Organisations internationales. Institutions européennes. Siège - Correspondance 1952-1953, AE 9329.

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URL: http://www.cvce.eu/obj/draft_agreement_relating_to_the_provisional_seat_of_the_community_august_1952-en-91798e57-7b23-4051-abd2-e37e30c0e1ca.html

Publication date: 18/12/2013

Draft Agreement relating to the Provisional Seat of the Community

THE EUROPEAN COAL AND STEEL COMMUNITY and THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG,

DESIRING to enter into an agreement in fulfilment of Articles 76 and 77 of the Treaty establishing the European Coal and Steel Community,

HAVING REGARD TO the Protocol on Privileges and Immunities annexed to the said Treaty, and to the additional agreement concluded with the Luxembourg Government on ...,

HAVE AGREED as follows:

Article 1

Save as otherwise provided in this Agreement, in the Protocol on Privileges and Immunities annexed to the Treaty establishing the European Coal and Steel Community or in the additional agreement between the Community and the Government of the Grand Duchy of Luxembourg concluded on ..., Luxembourg law shall apply inside the premises and provisional seat of the Community.

Article 2

The institutions of the Community may issue regulations applicable inside its buildings and premises so that it may fully exercise the powers attributed to it.

Article 3

The buildings and premises of the Community are inviolable. Luxembourg police or civil servants shall not enter the said buildings and premises in the exercise of their duties save with the consent of, and subject to the conditions agreed by, the President of the institution concerned.

Without prejudice to the provisions on the privileges and immunities conferred on the Community, the latter shall ensure that the buildings and premises of the Community do not become a refuge for persons attempting to evade arrest under a warrant duly issued by the Luxembourg authorities or for persons seeking to avoid the execution of legal process.

Article 4

The Community may expel any person from its premises, either for breach of the regulations adopted under Article 2 or for any other reason.

Article 5

The Luxembourg authorities shall not hinder access to the seat of the Community institutions by:

(a) members of the High Authority, or the Judges, Advocates-General and Registrar of the Court of Justice; members of the Council, members of the Consultative Committee, representatives in the Assembly or officials of these institutions or the families of these persons;

(b) experts carrying out missions on behalf of the Community;

(c) representatives of the press, radio, cinema and all other information services who are properly accredited and bearing valid travel documents and who are authorised by the Community with the consent of the Government of the Grand Duchy of Luxembourg, or

(d) other persons invited by the Community institutions to attend their proceedings.

Article 6

Such visas as may be necessary for the travel of the persons referred to in Article 5 shall be granted as quickly as possible.

The provisions of Article 5 shall not preclude the application of Luxembourg regulations on the residence of aliens to any persons referred to in the said article who abuse the privileges provided for in that Article by engaging in Luxembourg territory in activities unconnected with their official duties or, more specifically in the case of the persons referred to in paragraph (c) of that Article, commit acts incompatible with the duty of loyalty which they owe to the Community to which they are accredited or with the code of conduct of the profession to which they belong.

Article 7

The Luxembourg authorities shall station outside the buildings and premises of the Community institutions a sufficient number of police officers for their protection.

At the request of the President of any of the institutions or of their respective representatives, the competent Luxembourg authorities shall provide a sufficient number of police officers to maintain order inside the buildings and premises, in accordance with the President's instructions.

Article 8

The President of the High Authority may enter into any agreement with the competent Luxembourg authorities which is intended to facilitate the application of this Agreement.

Article 9

For the purposes of this Agreement, the expression 'buildings and premises' includes the grounds, courtyards and gardens adjacent thereto which are used by any of the Community's institutions, whether the Community is the owner or tenant thereof or occupies them free of charge.

Article 10

This Agreement shall enter into force following its signature by the President of the High Authority and the representative of the Government of the Grand Duchy of Luxembourg.

IN WITNESS WHEREOF, the respective representatives have signed this Agreement.

Done at Luxembourg, this ... day of ... in the year one thousand nine hundred and fifty-two.

For the Government of the Grand Duchy of Luxembourg:

For the European Coal and Steel Community: