

No. 20977

**NETHERLANDS
and
BELGIUM**

**Treaty concerning the Dutch Language Union. Signed at
Brussels on 9 September 1980**

Authentic text: Dutch.

Registered by the Netherlands on 13 April 1982.

**PAYS-BAS
et
BELGIQUE**

**Traité concernant l'Union linguistique néerlandaise. Signé à
Bruxelles le 9 septembre 1980**

Texte authentique : néerlandais.

Enregistré par les Pays-Bas le 13 avril 1982.

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND
THE KINGDOM OF BELGIUM CONCERNING THE DUTCH LAN-
GUAGE UNION

Her Majesty the Queen of the Netherlands and

His Majesty the King of the Belgians,

Being aware of the importance of the Dutch language for the community in their respective countries;

Being aware that the authorities of their countries bear a joint responsibility with regard to the Dutch language both as an instrument for social intercourse and as a means of expression for science and literature, and with regard to proficiency in that language;

Convinced that greater knowledge abroad of the Dutch language and literature will lead to better appreciation of Dutch culture;

Convinced that the Agreement concerning Cultural and Intellectual Relations between the Kingdom of the Netherlands and the Kingdom of Belgium, concluded between their countries on 16 May 1946,² has greatly enhanced mutual relations and has also led to closer co-operation between Dutch-speakers in their respective countries;

Desiring, in the light of the foregoing, to place their co-operation with regard to the Dutch language on a more institutional basis;

Have decided to establish a Dutch language union and have for that purpose appointed as their plenipotentiaries:

Her Majesty the Queen of the Netherlands: His Excellency Mr. D. F. van der Mei, Secretary of State for Foreign Affairs;

His Majesty the King of the Belgians: His Excellency Mr. Ch.-F. Nothomb, Minister for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Chapter I. PURPOSE AND CONTENT

Article 1. By this Treaty, the Kingdom of Belgium and the Kingdom of the Netherlands establish the Dutch Language Union (hereinafter called the Language Union).

Article 2. 1. The purpose of the Language Union shall be to integrate the Netherlands and the Dutch community in Belgium with regard to the Dutch language and literature in the widest sense.

2. This shall encompass: the language and literature as subjects of scientific study, the literature as a form of art, the language as a means of communication for

¹ Came into force on 1 April 1982, i.e., the first day of the third month following the date of the exchange of the instruments of ratification, which took place at The Hague on 27 January 1982, in accordance with article 23 (2).

² United Nations, *Treaty Series*, vol. 17, p. 13.

the sciences, the language as a medium of literature, teaching the language and literature and, more generally, the language as an instrument of social intercourse.

Article 3. The purposes of the Language Union shall be, *inter alia*:

- (a) Jointly to develop the Dutch language;
- (b) Jointly to promote knowledge and proper use of the Dutch language;
- (c) Jointly to promote Dutch literature;
- (d) Jointly to promote the study and propagation abroad of the Dutch language and literature.

Article 4. The High Contracting Parties decide:

- (a) To establish and maintain common institutions for carrying out the objectives and measures agreed upon in this Treaty;
- (b) Jointly to establish the official spelling and grammar of the Dutch language;
- (c) Jointly to establish uniform terminology for the purpose of legislation and official publications;
- (d) To carry out a common policy concerning private initiatives in the matter of dictionaries, glossaries and grammars;
- (e) Jointly to establish criteria for awarding the *Getuigschrift Netherlands als Vreemde Taal* (certificate attesting to knowledge of Dutch as a foreign language), and jointly to award the said certificate;
- (f) To carry out a common policy with regard to the Dutch language and literature in the international context, especially in the European Communities;
- (g) To consult each other when, in their relations with third countries or in international institutions or meetings, the interests of the Dutch language or the objectives of this Treaty are at issue.

Article 5. In addition, the High Contracting Parties shall, when they deem it necessary, act together:

- (a) To encourage scientific research on the Dutch language and literature and the development of Dutch literature, including the publication and dissemination of books;
- (b) To promote teaching of the Dutch language and literature and to seek to ensure that this effort is based on the unity of the language and the communal nature of the literature;
- (c) To promote proper use of the Dutch language, especially in education and administration;
- (d) In the area of the mass media, to encourage initiatives for achieving the objectives of the Language Union;
- (e) In the area of terminology, to promote the establishment of data banks and the preparation of glossaries;
- (f) To promote or organize the teaching abroad of the Dutch language, literature and cultural history;
- (g) To encourage the propagation abroad of Dutch literature, even in translation;
- (h) To encourage private initiatives that may contribute to achieving the objectives of the Language Union.

Chapter II. ORGANS

Article 6. The organs of the Language Union shall be:

- (a) The Committee of Ministers;
- (b) The Interparliamentary Commission;
- (c) The Dutch Language and Literature Council;
- (d) The General Secretariat.

Article 7. The Committee of Ministers shall determine the policy of the Language Union. It shall ensure implementation of this Treaty with a view to ensuring that the objectives therein specified are achieved.

It shall make recommendations and establish measures for implementing the Treaty in accordance with the provisions set forth therein.

It shall monitor implementation of its decisions.

It shall be authorized, *inter alia*, to conclude the association agreements referred to in article 20.

In all matters concerning the Language Union, the Committee of Ministers shall obtain the opinion of the Dutch Language and Literature Council. The Committee of Ministers shall establish the Statutes of the Council.

Article 8. 1. Each of the High Contracting Parties shall appoint at least two members of the Government to sit in the Committee of Ministers. Preference shall be given to those members of the Government who are concerned with education and culture.

2. Each of the High Contracting Parties may, whenever it deems this desirable, invite other members of the Government to participate in the meetings.

3. Each of the High Contracting Parties shall have one vote.

Article 9. 1. The Committee of Ministers shall meet at least once a year. In emergencies it shall meet at the request of the Government of one of the High Contracting Parties.

2. The meetings of the Committee of Ministers shall be presided over alternately by one Belgian member and one Netherlands member, irrespective of the place of meeting.

Article 10. The Interparliamentary Commission shall be authorized to consider all matters concerning the Language Union and to refer such matters to the Committee of Ministers.

The Interparliamentary Commission shall establish its own rules of procedure.

Article 11. The Interparliamentary Commission shall consist of at least fourteen members, half of whom shall be appointed from and by the Dutch Cultural Community of Belgium and half from and by the States-General of the Netherlands.

Article 12. The function of the Dutch Language and Literature Council, hereinafter called the Council, shall be:

- (a) Either on request or on its own initiative, to express opinions to the Committee of Ministers and to propose measures relating to the purposes specified in articles 2, 3, 4 and 5;
- (b) To carry out all other activities and tasks deriving from its Statutes.

Article 13. The composition and procedure of the Council shall be governed by its Statutes.

Article 14. 1. The General Secretariat shall be the organ responsible for formulating and implementing the policy of the Language Union. It shall be at the disposal of the Committee of Ministers, of the Council and, if so desired, of the Interparliamentary Commission.

After receiving the advice of the Council, the Committee of Ministers shall establish the rules to be followed by the General Secretariat in performing its functions in the service of the aforesaid organs.

2. The General Secretariat shall consist of the General Secretary and his collaborators. The General Secretary shall be a national of the Netherlands or of Belgium. The General Secretary or a representative appointed by him shall attend the meetings of the organs referred to in paragraph 1, unless the organ concerned decides otherwise. He shall be present in an advisory capacity.

3. After receiving the advice of the Council, the Committee of Ministers shall establish the composition and legal status of the personnel of the General Secretariat.

4. After receiving the advice of the Council, the Committee of Ministers shall appoint, suspend and remove the General Secretary.

It shall determine remuneration, pensions and allowances and other working conditions.

5. Taking into account the provision in paragraph 3, the General Secretary shall appoint, suspend and remove the rest of the General Secretariat staff in accordance with the rules to be established by the Committee of Ministers after receiving the advice of the Council.

Article 15. The seat of the Language Union shall be established in a place to be determined by the Committee of Ministers.

Article 16. 1. The Language Union shall have legal personality. In the territory of each High Contracting Party it shall enjoy the same legal capacity as the national legislation grants to legal persons, to the extent that such capacity is necessary for carrying out its mandate and fulfilling its objectives. In particular, it may, in civil law, acquire and dispose of immovable and movable property, receive and issue private and public funds, and institute legal proceedings. To this end the Language Union shall be represented by the General Secretary.

2. The privileges and immunities necessary for performing the functions and achieving the objectives of the Language Union shall be set forth in a Protocol to be concluded between the High Contracting Parties.

Chapter III. FINANCIAL RESOURCES

Article 17. The High Contracting Parties shall provide the Language Union with the financial resources necessary for carrying out its mandate in such a way that Belgium shall pay one third and the Netherlands two thirds of the costs.

The Committee of Ministers may depart from this principle in cases where circumstances so justify.

The Committee of Ministers shall establish the budget and the regulations governing the financial management of the Language Union.

Chapter IV. FINAL PROVISIONS

Article 18. Any dispute between the High Contracting Parties concerning the interpretation or application of this Treaty which cannot be settled through negotiations shall be submitted to an arbitral commission whose composition shall be determined by the Committee of Ministers.

Article 19. 1. With regard to the Kingdom of the Netherlands, this Treaty shall apply only to its territory in Europe.

2. The scope of application of this Treaty may be extended to the Netherlands Antilles by means of an exchange of diplomatic notes.

Article 20. Subject to the aforesaid approval by the High Contracting Parties, other States wishing to co-operate in the activities of the Language Union may conclude an association agreement with it. Such agreements shall specify the forms and modalities of the co-operation.

Article 21. 1. This Treaty is concluded for an indefinite period.

2. Either of the Contracting Parties may, at any time, after a period of ten years from the date of entry into force of the Treaty notify the other High Contracting Party in writing of its decision to denounce the Treaty. Such denunciation shall take effect twelve months after the date on which such notification is received by the other Contracting Party.

Article 22. The Committee of Ministers may submit recommendations for amending this Treaty to the High Contracting Parties.

Article 23. 1. This Treaty shall be ratified. The instruments of ratification shall be exchanged at The Hague.

2. This Treaty shall enter into force on the first day of the third month following the date of exchange of the instruments of ratification.

IN WITNESS WHEREOF the Plenipotentiaries have signed this Treaty:

DONE at Brussels, on 9 September 1980, in duplicate in the Dutch language.

For the Kingdom
of the Netherlands:

D. F. VAN DER MEI

For the Kingdom
of Belgium:

CHARLES-FERDINAND NOTHOMB