



European Treaty Series - No. 175

EUROPEAN CONVENTION
ON THE PROMOTION OF A TRANSNATIONAL
LONG-TERM VOLUNTARY SERVICE
FOR YOUNG PEOPLE

Strasbourg, 11.V.2000

Preamble

The member States of the Council of Europe and the other States Parties to the European Cultural Convention, signatory hereto,

Considering that the aim of the Council of Europe is to achieve greater unity between its members;

Considering that promoting transnational long-term voluntary service is an important part of governmental policy in respect of young people;

Acknowledging more particularly the need to develop and promote transnational long-term voluntary service, in all its forms, at European level;

Considering that transnational voluntary service, carried out abroad with other young people, contributes to civic education, intercultural projects and the acquisition of a European consciousness;

Believing that transnational long-term voluntary service, while providing non-formal education for volunteers and for the people with whom they collaborate, constitutes an opportunity for young people to learn and promote solidarity, as well as to serve society;

Aware of the difficulties of young volunteers wishing to perform voluntary service abroad;

Stressing the importance of equal opportunities for young people and considering that transnational long-term voluntary service should be open to all young people notwithstanding their financial resources;

Considering that public authorities can contribute to ensuring and supervising the implementation of the above principles within the framework of their national legislation and according to the rules in their respective countries,

Have agreed as follows:

Chapter I - General provisions**Article 1 - Object and purposes of the voluntary service**

- 1 Voluntary service shall pursue an educational aim and contain elements of intercultural learning; it shall be carried out by volunteers under the responsibility of organisations as defined in Article 2, paragraph 2, of this Convention.
- 2 Voluntary service must be based on a non remunerated activity and a free personal decision of the volunteer.
- 3 Transnational long-term voluntary service does not replace the compulsory national service, where this exists, and cannot replace remunerated employment.

Article 2 - Definitions

For the purposes of this Convention:

- 1 "The volunteer" means a person legally residing in one Party who is legally present in the territory of another Party for a continuous period of time, not less than three months and not longer than twelve months, to perform full-time voluntary service activities. The volunteer may either belong to or co-operate with the sending or receiving organisations mentioned in Article 2, paragraph 2.
- 2 "Sending or receiving organisations" means:
 - non-profit-making and non-governmental organisations undertaking voluntary service for the benefit of society, and contributing to the development of democracy and solidarity; or
 - youth organisations, that is, non-governmental organisations run for and by young people; or
 - local public authorities; or
 - any other organisation wishing to develop specific voluntary projects which will be approved by the co-ordinating bodies defined in Article 4.
- 3 "Transnational long-term voluntary service" means an activity voluntarily undertaken abroad, without any remuneration for the volunteer, providing a mutual non-formal education process for the volunteer and for the people with whom he or she collaborates.
- 4 "Co-ordinating body" means any authority appointed by a Party in accordance with the provisions of Article 4 of this Convention.

Article 3 - Undertakings of the Parties

- 1 The Parties undertake to afford each other the widest possible measure of co-operation in respect of transnational long-term voluntary service, in accordance with the provisions of this Convention.
- 2 The Parties further undertake to promote the development of a common concept of transnational long-term voluntary service.
- 3 The provisions of this Convention shall not affect more favourable provisions within national legislation concerning the status or the legal regime of voluntary service.

Article 4 - Co-ordinating bodies

- 1 The Parties shall designate the co-ordinating bodies which shall be entrusted with the tasks described in this Convention.
- 2 Each Party shall, at the time of signature or when depositing its instruments of ratification, acceptance, approval or accession, communicate to the Secretary General of the Council of Europe the name and address of the co-ordinating body designated in pursuance of paragraph 1 of this article.

- 3 Each co-ordinating body, or body appointed by the latter, shall grant recognition to sending and receiving organisations within their country, in compliance with the provisions of this Convention.
- 4 Each co-ordinating body, or body appointed by the latter, is entrusted with approving the activities of transnational long term voluntary service to be carried out on its territory, thirty days prior to the beginning of service, certifying that they are in accordance with the provisions of national legislation and Article 6 of this Convention.
- 5 For the purpose of implementation of this Convention, each co-ordinating body or body appointed by the latter shall exchange information concerning protection against the risks referred to in Article 11, and shall use its best endeavours to ensure appropriate supervision and evaluation of the activities of transnational long-term voluntary service.
- 6 Each co-ordinating body, or body appointed by the latter, shall use its best endeavours to facilitate the settlement of any difficulty to which the implementation of the contract concluded in accordance with the provisions of Article 6 may give rise.

Chapter II - Transnational long-term voluntary service activities

Article 5 - Age limits

- 1 Volunteers shall be over 18 and under 25 years of age at the beginning of service.
- 2 Nevertheless, the Parties may conclude bilateral or multilateral agreements with one another derogating from the provisions of paragraph 1.

Article 6 - Contract

- 1 All activity shall be subject to a contract and be performed in accordance with the legislation of the receiving State.
- 2 A model contract is contained in Appendix I to the Convention; it is intended for guidance only and has no treaty value.
- 3 A copy of the contract mentioned in paragraph 1 shall be deposited with the co-ordinating body of the receiving state or a body appointed by the former.
- 4 The contract shall specify *inter alia* the conditions under which the volunteer is to carry out the activities of the receiving organisation.

Article 7 - Medical certificate

Each Party shall ensure that the sending organisation will provide a medical certificate issued by the public health authorities, established less than three months before the start of voluntary service, indicating the general state of health of the volunteer.

Article 8 - Training

- 1 Each Party, through their co-ordinating bodies, shall ensure that the sending or the receiving organisation, or both, shall take the appropriate steps to provide the volunteers, prior to their voluntary service activity, with appropriate preparation and training for the activity to be carried out by them.

- 2 Volunteers shall, in particular, be informed of the fundamental legislative provisions, the social and economic structures of the receiving State, and receive an introduction to the language as well as to the culture and history of the receiving State.

Article 9 – Rights of volunteers

- 1 Volunteers shall receive board and lodging from the receiving organisation.
- 2 Volunteers shall be given adequate opportunity for relevant linguistic, intercultural and vocational development. They shall be accorded every facility as regards the arrangement of the activity to this end.
- 3 Volunteers shall have at least one full free day per week, not less than one such free day in every month being at the choice of the volunteer.
- 4 Volunteers shall receive a sufficient amount of pocket money, to be agreed upon between the sending and receiving organisations.
- 5 These rights shall be granted within the framework of the legislation of the receiving State.

Article 10 – Financial rules and regulations

- 1 Financial support for transnational long-term voluntary service activities may be provided for by:
 - a contributions from public local, regional, and national authorities, from international organisations and from the co-ordinating bodies appointed in accordance with the provisions of Article 4 of this Convention;
 - b contributions from recognised non-profit making organisations;
 - c contributions from private companies, in accordance with the provisions of paragraph 2;
 - d personal contributions or others;
 - e any combination of the sources mentioned above.
- 2 Contributions in accordance with the provisions of paragraph 1, contributions in kind or grant shall not oblige volunteers to undertake profit-making activities on behalf of a commercial enterprise or to make advertisements for it.

Article 11 – Protection against risks

- 1 Health, accident as well as civil liability risks shall be covered either in accordance with national legislation or by bilateral or multilateral agreements in force or, failing that, by means of personal insurance subscribed and paid for by the volunteer concerned or on the volunteer's behalf.
- 2 Each Party shall transmit, by a declaration addressed to the Secretary General of the Council of Europe, the means of cover of these risks. Any change in these means shall be notified to the Secretary General of the Council of Europe by the Parties.
- 3 The level of benefits shall correspond to the standards laid down by the national legislation or the bilateral or multilateral agreements.

Article 12 - Certificates

Each Party, through its co-ordinating bodies, shall ensure that during the period of voluntary activity, and at the end of the voluntary service programme, the receiving organisation will, upon request of the volunteer, provide a certificate of participation in accordance with the model provided in Appendix II to this Convention. Appendix II is intended for guidance only and has no treaty value.

Article 13 - Administrative formalities

- 1 The candidates for voluntary service who shall address to the relevant authorities to obtain a temporary residence permit for the duration of their voluntary service shall present the contract signed by the three Parties and an identity document.
- 2 Each Party shall endeavour, where possible, to reduce the administrative barriers restricting mobility of volunteers.

Chapter III - Multilateral consultations**Article 14 - Multilateral consultations**

- 1 The Parties shall, within five years from the entry into force of the Convention and every five years thereafter, or more frequently if a majority of the Parties should so request, hold multilateral consultations to examine the application of the Convention and the advisability of revising it or extending any of its provisions.
- 2 Any Party may be represented at the multilateral consultations by one or more delegates. Each delegation shall have one vote. The Parties shall draw up the rules of procedure for the consultations.
- 3 Any State referred to in Article 16, paragraph 1, or the European Community, which is not a Party to this Convention, may be represented at the multilateral consultations by an observer.
- 4 After each consultation, the Parties shall submit to the Committee of Ministers of the Council of Europe a report on the consultation and on the application of the provisions of the Convention.

Chapter IV - Amendments**Article 15 - Amendments**

- 1 Any amendment to Articles 1 to 15 of this Convention proposed by a Party or the Committee of Ministers shall be communicated to the Secretary General of the Council of Europe and forwarded by him to the member states of the Council of Europe, to the other States Parties to the European Cultural Convention, to the European Community and to any State which has acceded to or has been invited to accede to the Convention in accordance with the provisions of Article 17.
- 2 Any amendment proposed in accordance with the provisions of the preceding paragraph shall be examined at a multilateral consultation not less than two months after the date of forwarding by the Secretary General. The text shall be adopted by a two-thirds majority of the Parties.

- 3 Any amendment adopted at a multilateral consultation shall be submitted to the Committee of Ministers for approval. After its approval, the text shall be forwarded to the Parties for acceptance.
- 4 Any amendment shall enter into force on the first day of the month following the expiration of a period of three months after all the Parties have informed the Secretary General of their acceptance.

Chapter V – Final provisions

Article 16 – Signature and entry into force

- 1 This Convention shall be open for signature by the member States of the Council of Europe and the other States party to the European Cultural Convention. Such States may express their consent to be bound by:
 - a signature without reservation as to ratification, acceptance or approval; or
 - b signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.
- 2 Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.
- 3 This Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date on which five states, of which at least four are member States of the Council of Europe, have expressed their consent to be bound by the Convention, in accordance with the provisions of paragraph 1.
- 4 In respect of any signatory state which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of the expression of its consent to be bound by the Convention in accordance with the provisions of paragraph 1.

Article 17 – Accession

- 1 After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties to the Convention, may invite any State which is not referred to in Article 16, paragraph 1, as well as the European Community to accede to this Convention, by a decision taken by the majority provided for in Article 20.d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Contracting States entitled to sit on the Committee.
- 2 In respect of any acceding State or of the European Community, in the event of its accession, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 18 – Territorial application

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

- 2 Any Party may, at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General.
- 3 Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

Article 19 - Relationship to other treaties and Community law

- 1 The provisions of this Convention shall not affect the provisions of international treaties which are already in force or may come into force, under which more favourable rights are, or would be, accorded to volunteers.
- 2 In their mutual relations, Parties which are members of the European Community shall apply Community rules and shall not therefore apply the rules arising from this Convention except in so far as there is no Community rule governing the particular subject concerned.
- 3 The Parties may conclude bilateral or multilateral agreements with one another on the matters dealt with in this Convention, for the purpose of supplementing or strengthening its provisions or facilitating the application of the principles embodied in it.

Article 20 - Reservations

No reservation to this Convention may be made.

Article 21 - Denunciation

- 1 Any Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.
- 2 Such denunciation shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

Article 22 - Notifications

The Secretary General of the Council of Europe shall notify the member States of the Council, the other States Parties to the European Cultural Convention, the European Community and any State which has acceded or has been invited to accede to this Convention of:

- a any signature;
- b the deposit of any instrument of ratification, acceptance, approval or accession;
- c any date of entry into force of this Convention, in accordance with Articles 16 and 17;
- d any declaration made under Article 4, paragraph 2;

- e any declaration made under Article 11, paragraph 2;
- f any other act, notification or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Strasbourg, this 11th day of May 2000, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to the other States party to the European Cultural Convention, and to any non-member State or the European Community invited to accede to this Convention.

Appendix I

Contract

By this contract,

- I. The sending organisation, authorised by the co-ordinating body, undertakes:
- to send Mr/Mrs/Ms to in order to participate in the following transnational long-term voluntary service activity:

The duration of this activity is from to

Mr/Mrs/Ms will have the following duties:

-
-
-

On the understanding that these activities will not replace remunerated employment, and that the transnational long-term voluntary service under no circumstances replaces compulsory national service;

- to ensure the following:

training courses:

.....
.....

language courses:

.....
.....

information on the receiving country:

.....
.....

medical certificate delivered on by

- to cover:

two-way travel expenses of Mr/Mrs/Msfrom to

insurance expenses for Mr/Mrs/Ms¹ in the event that he or she does not have his or her own insurance policy.

This insurance covers the following risks:

.....
.....

¹ This provision applies only if the receiving country does not foresee social coverage for the volunteer.

- II. The receiving organisation, authorised by the co-ordinating body, undertakes to:
- accomplish the administrative and other formalities (visa, residence permit, guarantee of resources in particular);
 - ensure coverage of the following risks:
 - deliver a participation certificate;
 - cover:
 - board and lodging for Mr/Mrs/Ms during the period from to
 - pocket money of/per day/per week/per month;
 - participation in the following courses:
 -
 -

The organisation guarantees that:

- the activity will not exceed hours per day and hours per week;
 - Mr/Mrs/Ms shall have at least one day off per week ;¹
 - Mr/Mrs/Ms shall not be impelled to undertake profit-making activities on behalf of a commercial enterprise nor to make advertisements for it.
- III. Mr/Mrs/Ms, participating in the long-term voluntary service described above, declares that he/she is aware of his or her rights and of his or her duties and undertakes to comply with the obligations arising in connection with this activity, in particular to take out private personal insurance if this obligation cannot be met by the sending and/or receiving organisation.

Approved by the co-ordinating body of:

Sending State
Receiving State

The volunteer and the sending organisation

the receiving organisation

¹ At least one day per month shall be at the choice of the volunteer.

Appendix II**Certificate**

1. Family name
2. First name
3. Date of birth (day/month/year)
4. Place of birth
5. Resident in
6. Citizen of
7. Name and type of receiving organisation
8. Type of activity
9. Length of activity from to
10. Field of activity
11. Certificate (s) received during the programme as appended
12. Programme consisted of the following activities (please give detailed information)
13. Exceptions/journeys abroad

Date

Stamp

Signature

Position