

## Cultural Treaty Flanders-Netherlands

### Summary

On 17 January 1995, a cultural treaty was signed in Antwerp between the Dutch and the Flemish governments. The term culture is used in the "Cultural Treaty" in a broad sense. The full title of the treaty is: "Treaty Concerning the Cooperation in terms of Culture, Education, Sciences and Welfare between the Flemish Community in the Kingdom of Belgium and the Kingdom of The Netherlands".

A Belgian-Dutch Treaty has existed since 16 May 1946. As a result of the successive constitutional reforms in Belgium, the Dutch, French and German speaking communities in Belgium had separate meetings with The Netherlands from 1983 onwards.

It gradually became clear that it would be better to agree on a separate treaty between the Netherlands and Flanders in order to improve cooperation between the two countries. This cooperation is of a very special nature: The Netherlands and Flanders constitute one language community and work closely together in a variety of areas, such as culture.

In 1980 both countries signed the Dutch Language Union Treaty, which committed the Netherlands and Flanders to a common policy in the area of language and literature.

In 1995 under a new treaty, both countries resolved to work together as closely as possible in terms of culture (visual arts, music, language and literature, theatre, social work, media...), education, sciences and welfare. Special attention was given to cooperation in the border area and to the forging of a common Dutch-Flemish policy in Europe and beyond.

A commission was established to monitor the implementation of the treaty. Each member represents one of the different areas covered by the treaty.

The role of the commission is to advise the Dutch and the Flemish government. It can do so either at the request of the two governments or on its own initiative. The commission itself does not grant subsidies; this remains the responsibility of the different ministers and their respective departments in the Netherlands and in Flanders.

On 26 and 27 November 1999, the commission organized a large-scale conference in Ghent, which - 150 years before - had been the venue for the first "Dutch (language and literature) congress on 26 August 1849.

Many of the dozens of proposals presented at the congress were subsequently adopted as formal recommendations. The commission also published a number of reports that did not lead to recommendations, but were intended to provide useful information: surveys of European and national sources of subsidies for Dutch-Flemish initiatives; a publication on the use of English in Higher Education; and a set of classroom materials on Dutch-Flemish cooperation for educational use.

In sub-conferences and seminars, attention was and continues to be given to art education, audiovisual co-productions, archives of artists, welfare work, and cultural heritage.

One of the first recommendations drawn up by the commission in 1998 was a recommendation in favour of the participation of Flanders in the satellite television project "The best of Flanders and the

Netherlands" (BVN). The commission also requested that not only Europe, but also North America and Southern Africa be included in the broadcasting area. This recommendation was implemented.

The commission examined the differences which exist between the Netherlands and Flanders with respect to subsidy regulations, methods and procedures, and to what degree these differences constitute obstacles to Dutch-Flemish collaboration. The report demonstrated that the problems are often complex, but not insoluble.

Concerning the performing arts the commission proposed a new system to subsidize a limited number of theatres for a period of 4 years which would specialize in productions from abroad.

The commission succeeded in formulating a recommendation reconciling Dutch and Flemish viewpoints with respect to the founding of a Dutch-Flemish centre for Europe in Brussels.

The commission also studied the so-called 'culture paragraph' of the European Treaty as a tool for protecting and stimulating linguistic and cultural communities in a European context.

Approximately half of the recommendations were completely or partially adopted and implemented by the Dutch and Flemish governments.

#### **Commission members**

- Mr. H. Balthazar (President of the Flemish delegation)
- Mr. W. van Gelder (President of the Dutch delegation)
- Mrs. A. Buiteveld
- Mr. J. Daalmeijer
- Mrs. W. Demeester - De Meyer
- Mr. J. De Meulemeester
- Mrs. M. Gerené
- Mrs. M. Leemhuis
- Mr. H. Martens
- Mrs. D. Scheerhout
- Mrs. A. Schramme
- Mrs. G. van den Bergh
- Mr. D. van den Bout
- Mrs. C. Claus
- Mr. Verlaeckt

#### **Observers**

- Mr. F. D'havé, representative of the Flemish Government in The Hague
- Mr. S. Cohen, representative of the Dutch Embassy in Brussels
- Mrs. A. van der Meer, representative of the Dutch Embassy in Brussels
- Mrs. L. van den Bosch, Secretary General of the Dutch Language Treaty

## **Secretariat**

In order to support the activities of the commission and the working groups, a permanent secretariat was established, based in Brussels. This secretariat provides expert support to Dutch-Flemish cooperation in the different areas.

Secretary General  
Mr. Guy Janssens

Address  
Koloniënstraat 56, bus 6  
B-1000 Brussel  
Fax: +32 (0) 5028436

e-mail: [commissie@cvn.be](mailto:commissie@cvn.be)  
[www.cvn.be](http://www.cvn.be)

## **Text of the Treaty**

*TREATY CONCERNING THE COOPERATION IN TERMS OF CULTURE, EDUCATION, SCIENCE AND WELFARE BETWEEN THE FLEMISH COMMUNITY IN THE KINGDOM OF BELGIUM AND THE KINGDOM OF THE NETHERLANDS.*

THE FLEMISH COMMUNITY IN THE KINGDOM OF BELGIUM  
and  
THE KINGDOM OF THE NETHERLANDS

Hereafter called “the Treaty Concluding Parties”

In view of their connection in terms of history and culture as well as their common language,

In view of the Treaty between the Kingdom of Belgium and the Kingdom of The Netherlands concerning the Dutch Language Union,

In view of their common interests, especially in Europe,

Guided by their will to enhance and develop cultural cooperation in the broad sense, and to act together internationally in this respect,

Convinced that this cooperation will contribute to more mutual understanding and friendship,

### **Article 1**

The Treaty Concluding Parties work together as closely as possible as far as culture, education, sciences and welfare are concerned.

### **Article 2**

The Treaty Concluding Parties pursue policies to maximise on a mutual basis and stimulate the direct cooperation in these areas between authorities, individuals, institutions and organisations. This is especially true for the cooperation in the border areas.

### **Article 3**

The Treaty Concluding Parties strive for mutual harmonization and coordination and, if possible and desirable, for a common policy.

### **Article 4**

The Treaty Concluding Parties strive for collaboration in and with third countries.

### **Article 5**

The Treaty Concluding Parties confer beforehand, where possible, with each other on positions to be taken in European organisations and multilateral forums.

### **Article 6**

The Treaty Concluding Parties promote the exchange of information and documentation in order to get to know each other better. The exchange of experts is also encouraged.

**Article 7**

The Treaty Concluding Parties establish a commission, giving equal representation to each Party and consisting of official and non-official members.

The commission decides on its own internal rules and regulations.

The commission evaluates the execution of this Treaty and gives advice on the matter.

**Article 8**

The commission confers from time to time with the Secretary General of the Dutch Language Union in order to harmonize the cooperation, as stipulated in the Treaty, with the cooperation as regulated by the Language Union Treaty with respect to the Dutch language and literature.

**Article 9**

The Treaty takes effect on the first day of the second month, following the day on which both Treaty Concluding Parties have given notice to each other in writing that the constitutional requirements in this respect have been met.

**Article 10**

As far as the Kingdom of The Netherlands is concerned, the application of this Treaty may also be extended to the Dutch Antilles and Aruba by means of a written notice of the Dutch government to the Flemish government.

**Article 11**

1. When this Treaty takes effect, the cooperation within the framework of the Treaty concerning the cultural and intellectual relations between Belgium and The Netherlands of 16 May 1946, ends as far as the Flemish Community is concerned.
2. Where the application of this Treaty is extended to the Dutch Antilles and/or Aruba, the cooperation in the framework of the Agreement concerning the cultural relations and the protocol of execution of 4 June 1975, between the Flemish Community and that part of the Kingdom of The Netherlands, ends.

**Article 12**

1. If one of the Treaty Concluding Parties terminates the Treaty, it gives notice thereof to the other Treaty Concluding Party; the termination of the Treaty takes effect six months after the day of receipt of such notice by the other Treaty Concluding Party.
2. If the application of this Treaty is extended to the Dutch Antilles and/or Aruba, the Kingdom of The Netherlands is entitled to end the application of this Treaty with regard to a part of the Kingdom.

This Treaty is signed by representatives of the governments of the Treaty Concluding Parties, thereto properly assigned.

Antwerp, 17 January 1995.