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ATOMIC ENERGY



Treaty Series No. 22 (1973)

# Convention for the Establishment of a European Organization for Nuclear Research

(with Financial Protocol)

Paris, 1 July 1953

[as later amended]

[The United Kingdom instrument of ratification was deposited on 30 December 1953  
and the Convention entered into force on 29 September 1954]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
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**CONVENTION  
FOR THE ESTABLISHMENT OF A EUROPEAN ORGANIZATION  
FOR NUCLEAR RESEARCH  
[as later amended]<sup>(1)</sup>**

THE STATES parties to this Convention,

CONSIDERING the Agreement open for signature at Geneva on the fifteenth of February, 1952, constituting a Council of Representatives of European States for planning an international laboratory and organizing other forms of co-operation in nuclear research;

CONSIDERING the Supplementary Agreement signed at Paris on the thirtieth of June, 1953, prolonging the said Agreement; and

DESIRING, pursuant to section 2 of Article III of the said Agreement of the fifteenth of February, 1952, to conclude a Convention for the Establishment of a European Organization for Nuclear Research, including the establishment of an international laboratory for the purpose of carrying out an agreed programme of research of a pure scientific and fundamental character relating to high-energy particles;

HAVE AGREED as follows:

**ARTICLE I**

*Establishment of the Organization*

1. A European Organization for Nuclear Research (hereinafter referred to as "the Organization") is hereby established.

2. The seat of the Organization shall be at Geneva, unless the Council referred to in Article IV subsequently decides by a two-thirds majority of all the Member States to transfer it to the place where another of the Laboratories referred to in sub-paragraph (a) of paragraph 2 of Article II is situated.

**ARTICLE II**

*Purposes*

1. The Organization shall provide for collaboration among European States in nuclear research of a pure scientific and fundamental character, and in research essentially related thereto. The Organization shall have no concern with work for military requirements and the results of its experimental and theoretical work shall be published or otherwise made generally available.

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<sup>(1)</sup> This text incorporates the amendments to the Convention adopted by the Council of the Organization at its Thirty-sixth Session (see Miscellaneous No. 6 (1969), Cmnd. 3923) which entered into force on 17 January, 1971 in accordance with Article X, paragraph 2.

2. The Organization shall, in the collaboration referred to in paragraph 1 above, confine its activities to the following:

- (a) the construction and operation of one or more international laboratories (hereinafter referred to as "the Laboratories") for research on high-energy particles, including work in the field of cosmic rays; each Laboratory shall include:
  - (i) one or more particle accelerators;
  - (ii) the necessary ancillary apparatus for use in the research programmes carried out by means of the machines referred to in (i) above;
  - (iii) the necessary buildings to contain the equipment referred to in (i) and (ii) above and for the administration of the Organization and the fulfilment of its other functions;
- (b) the organization and sponsoring of international co-operation in nuclear research, including co-operation outside the Laboratories; this co-operation may include in particular:
  - (i) work in the field of theoretical nuclear physics;
  - (ii) the promotion of contacts between, and the interchange of, scientists, the dissemination of information, and the provision of advanced training for research workers;
  - (iii) collaborating with and advising other research institutions;
  - (iv) work in the field of cosmic rays.

3. The programmes of activities of the Organization shall be:

- (a) the programme carried out at its Laboratory at Geneva including a proton synchrotron for energies above ten gigaelectronvolts ( $10^{10}$  eV) and a synchro-cyclotron for energies of six hundred million electronvolts ( $6 \times 10^8$  eV);
- (b) the programme for the construction and operation of the intersecting storage rings connected to the proton synchrotron described in sub-paragraph (a) above;
- (c) the programme for the construction and operation of a Laboratory to include a proton synchrotron for energies of about three hundred gigaelectronvolts ( $3 \times 10^{11}$  eV);
- (d) any other programme falling within the terms of paragraph 2 above.

4. The programmes referred to in sub-paragraph (c) and (d) of paragraph 3 above shall require approval by the Council by a two-thirds majority of all the Member States. In giving such approval, the Council shall define the programme, and this definition shall include those administrative, financial and other provisions necessary for the proper management of the programme.

5. Any change to the definition of a programme shall require approval by the Council by a two-thirds majority of all the Member States.

6. Until the bringing into operation of the accelerator referred to in sub-paragraph (c) of paragraph 3 above, the date of which shall be determined by the Council by a two-thirds majority of all the Member

States, the basic programme of the Organization shall be that referred to in sub-paragraph (a) of that paragraph. From that date, the programme referred to in sub-paragraph (c) shall also become part of the basic programme, and the Council may, by a two-thirds majority of all the Member States, decide that the programme referred to in sub-paragraph (a), provided that no Member State participating in that programme votes to the contrary, is no longer part of the basic programme.

7. The Laboratories shall co-operate to the fullest possible extent with laboratories and institutes in the territories of Member States within the scope of their programmes of activities. So far as is consistent with the aims of the Organization, the Laboratories shall seek to avoid duplicating research work which is being carried out in the said laboratories or institutes.

### ARTICLE III

#### *Conditions of Membership*

1. States which are parties to the Agreement of the fifteenth of February, 1952, referred to in the Preamble hereto, or which have contributed in money or in kind to the Council thereby established and actually participated in its work, shall have the right to become members of the Organization by becoming parties to this Convention in accordance with the provisions of Articles XV, XVI and XVII.

2. (a) Other States may be admitted to the Organization by the Council referred to in Article IV by a unanimous decision of all the Member States.

(b) If a State wishes to join the Organization in accordance with the provisions of the preceding sub-paragraph, it shall notify the President of the Council. The President shall inform all Member States of this request at least three months before it is discussed by the Council. States accepted by the Council may become members of the Organization by acceding to this Convention in accordance with the provisions of Article XVII.

3. Each Member State shall signify in writing to the President of the Council those programmes of activities in which it wishes to participate. No State shall be entitled to become or to remain a member of the Organization unless it participates in at least one of the programmes of activities forming part of the basic programme.

4. The Council may, by a two-thirds majority of all the Member States, determine a minimum initial period of participation in any programme of activities together with a limit on the expenditure that may be incurred for that programme during that period. Once this period of participation and limit of expenditure have been so determined, the Council may, by the same majority, change either provided that no Member State participating in the programme votes to the contrary. Subject to any such minimum period of participation, a Member State may at any time give notice in writing to the President of the Council of withdrawal from any programme, and such withdrawal shall take effect at the end of the financial year following that in which notice is given, or on such later date as the Member State proposes.

5. In the event that a programme of activities comes to an end, the Council shall be responsible for its liquidation, subject to any agreement which may be made at the time between the Member States participating in that programme, and subject also to the relevant terms of any agreement which exists between the Organization and the States on the territories of which the programme is being carried out. Any surplus shall be distributed among those Member States which are participating in the programme at the time of its termination, in proportion to the total contributions actually made by them in respect of that programme. In the event of a deficit, this shall be met by the same Member States in the same proportions as those in which their contributions in respect of the programme have been assessed for the financial year then current.

6. Member States shall facilitate, for the purposes of the activities of the Organization, the exchange of persons and of relevant scientific and technical information, provided that nothing in this paragraph shall:

- (a) affect the application to any person of the laws and regulations of Member States relating to entry into, residence in, or departure from, their territories; or
- (b) require any Member State to communicate, or to permit the communication of, any information in its possession in so far as it considers that such communication would be contrary to the interests of its security.

#### ARTICLE IV

##### *Organs*

The Organization shall consist of a Council and, in respect of each Laboratory, a Director-General, assisted by a staff.

#### ARTICLE V

##### *The Council*

1. The Council shall be composed of not more than two delegates from each Member State who may be accompanied at meetings of the Council by advisers.

2. The Council shall, subject to the provisions of this Convention:

- (a) determine the Organization's policy in scientific, technical and administrative matters;
- (b) approve the programmes of activities of the Organization;
- (c) adopt, by a two-thirds majority of Member States represented and voting, the parts of the budget which apply to the different programmes of activities and determine the financial arrangements of the Organization in accordance with the Financial Protocol annexed to this Convention;
- (d) review expenditures and approve and publish audited annual accounts of the Organization;

- (e) decide on the staff establishments required;
- (f) publish an annual report or reports;
- (g) have such other powers and perform such other functions as may be necessary for the purposes of this Convention.

3. The Council shall meet at least once a year at such places as it shall decide.

4. Each Member State shall have one vote in the Council.

5. Except where otherwise provided in this Convention, decisions of the Council shall be taken by a simple majority of Member States represented and voting.

6. Where this Convention or the Financial Protocol annexed thereto provides that a matter requires approval by the Council by a two-thirds majority of all the Member States, and this matter relates directly to any programme of activities, the majority shall include also a two-thirds majority of all the Member States participating in that programme.

7. Except where this Convention or the Financial Protocol annexed thereto provides that a matter requires approval by the Council unanimously or by a two-thirds majority of all the Member States, no Member State shall be entitled to vote in regard to any matter falling within the limits of a programme as defined by the Council by virtue of Article II unless it participates in that programme or unless the matter affects directly any programme in which it participates.

8. A Member State shall not be entitled to vote in the Council if the amount of its unpaid contributions to the Organization exceeds the amount of the contributions due from it for the current financial year and the immediately preceding financial year. Similarly, it shall not be entitled to vote in the Council in respect of a particular programme of activities if the amount of its unpaid contributions to that programme exceeds the amount of the contributions due from it for the current financial year and the immediately preceding financial year. The Council nevertheless may, by a two-thirds majority of all the Member States, permit such Member State to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the State concerned.

9. For the discussion of any matter in the Council, the presence of delegates from a majority of the Member States entitled to vote on that matter shall be necessary to constitute a quorum.

10. Subject to the provisions of this Convention, the Council shall adopt its own rules of procedure.

11. The Council shall elect a president and two vice-presidents who shall hold office for one year and may be re-elected on not more than two consecutive occasions.

12. The Council shall establish a Scientific Policy Committee and a Finance Committee, and such other subordinate bodies as may be necessary for the purposes of the Organization, and in particular for the execution

and co-ordination of its different programmes. The creation and the terms of reference of such bodies shall be determined by the Council by a two-thirds majority of all the Member States. Subject to the provisions of this Convention and of the Financial Protocol annexed thereto, such subordinate bodies shall adopt their own rules of procedure.

13. Pending the deposit of their instruments of ratification or accession, the States mentioned in paragraph 1 of Article III may be represented at meetings of the Council and take part in its work until the thirty-first of December, 1954. This right shall not include the right to vote, unless the State concerned has contributed to the Organization in accordance with the provisions of paragraph 1 of Article 4 of the Financial Protocol annexed to this Convention.

## ARTICLE VI

### *Directors-General and Staff*

1. (a) The Council shall, by a two-thirds majority of all the Member States, appoint for each Laboratory a Director-General for a defined period and may, by the same majority, dismiss him. In respect of the Laboratory under his direction, each Director-General shall be the chief executive officer of the Organization and its legal representative. He shall, in regard to financial administration, act in accordance with the provisions of the Financial Protocol annexed to this Convention. The Council may, by a two-thirds majority of all the Member States, delegate to the Directors-General, either separately or jointly, authority to act on behalf of the Organization in other matters. Each Director-General shall also submit an annual report to the Council and shall attend, without the right to vote, all its meetings.

(b) The Council may postpone the appointment of a Director-General for such period as it considers necessary, either on the entry into force of this Convention or on the occurrence of a subsequent vacancy. In this event, it shall appoint a person to act in his stead, the person so appointed to have such powers and responsibilities as the Council may direct.

2. Each Director-General shall be assisted by such scientific, technical, administrative and clerical staff as may be considered necessary and authorized by the Council.

3. All staff shall be appointed and may be dismissed by the Council on the recommendation of the Director-General concerned. Appointments and dismissals made by the Council shall require a two-thirds majority of all the Member States. The Council may by the same majority delegate powers of appointment and dismissal to subordinate bodies established under the terms of paragraph 12 of Article V and to the Directors-General. Any such appointment and its termination shall be in accordance with the Staff Rules to be adopted by the Council by the same majority. Any persons, not members of the staff, who are invited by or on behalf of the Council to work at any Laboratory shall be subject to the authority of the Director-General concerned, and to such general conditions as may be approved by the Council.

4. The responsibilities of the Directors-General and the staff in regard to the Organization shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. Each Member State shall respect the international character of the responsibilities of the Directors-General and the staff, and not seek to influence them in the discharge of their duties.

## ARTICLE VII

### *Financial Contributions*

1. Each Member State shall contribute both to the capital expenditure and to the current operating expenses of the Organization:

(a) for the period ending on the thirty-first of December, 1956, as set out in the Financial Protocol annexed to this Convention; and, thereafter,

(b) in accordance with scales which shall be decided every three years by the Council by a two-thirds majority of all the Member States, and shall be based on the average net national income at factor cost of each Member State for the three latest preceding years for which statistics are available, except that,

(i) in respect of any programme of activities, the Council may determine, by a two-thirds majority of all the Member States, a percentage as the maximum which any Member State may be required to pay of the total amount of contributions assessed by the Council to meet the annual cost of that programme; once any such maximum percentage has been so determined, the Council may, by the same majority, change it, provided that no Member State participating in that programme votes to the contrary;

(ii) the Council may decide, by a two-thirds majority of all the Member States, to take into account any special circumstances of a Member State and adjust its contribution accordingly; for the purpose of applying this provision it shall be considered to be a special circumstance, in particular, when the national income "per capita" of a Member State is less than an amount to be decided by the Council by the same majority.

2. When participation by the Organization in a national or multinational project forms a programme of activities of the Organization, the terms of paragraph 1 above shall apply unless the Council, by a two-thirds majority of all the Member States, determines otherwise.

3. The contributions to be paid by a Member State under paragraph 1 of this Article shall be calculated in respect of, and applied only to, the programmes in which it participates.

4. (a) The Council shall require States which become parties to this Convention after the thirty-first of December, 1954, to make a special contribution towards the capital expenditure of the Organization already incurred in respect of the programmes in which they participate, in addition



to contributing to future capital expenditure and current operating expenses. The Council shall require a similar contribution from Member States in respect of any programme in which they first participate after its commencement. The amount of this special contribution shall be fixed by the Council by a two-thirds majority of all the Member States.

(b) All contributions made in accordance with the provisions of sub-paragraph (a) above shall be applied in reducing the contributions of the other Member States in respect of the programmes concerned.

5. Contributions due under the provisions of this Article shall be paid in accordance with the Financial Protocol annexed to this Convention.

6. To the extent of the authority delegated to him under the terms of sub-paragraph (a) of paragraph 1 of Article VI, and subject to any directions given by the Council, a Director-General may accept gifts and legacies to the Organization provided that such gifts or legacies are not subject to any conditions inconsistent with the purposes of the Organization.

## ARTICLE VIII

### *Co-operation with UNESCO and with other organizations*

The Organization shall co-operate with the United Nations Educational, Scientific and Cultural Organization. It may also, by a decision of the Council taken by a two-thirds majority of all the Member States, co-operate with other organizations and institutions.

## ARTICLE IX

### *Legal Status*

The Organization shall have legal personality in the metropolitan territories of all Member States. The Organization and the representatives of Member States on the Council, the members of any subordinate bodies established under paragraph 12 of Article V, the Directors-General and the members of the staff of the Organization shall be accorded, in the metropolitan territories of Member States, by virtue of agreements to be concluded between the Organization and each Member State concerned, such privileges and immunities, if any, as they agree to be necessary for the exercise of the functions of the Organization. The agreements to be concluded between the Organization and the Member States on the territory of which the Laboratories of the Organization shall be established shall contain, in addition to provisions concerning privileges and immunities, provisions regulating the special relations between the Organization and those Member States.

## ARTICLE X

### *Amendments*

1. The Council may recommend amendments of this Convention to Member States. Any Member State which wishes to propose an amendment shall notify the President of the Council thereof. The President shall inform all Member States of any amendment so notified at least three months before it is discussed by the Council.

2. Any amendment of this Convention recommended by the Council shall require acceptance in writing by all Member States. It shall come into force thirty days after the President has received notification of acceptance from all Member States. The President shall inform all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of the date on which the amendment shall thus come into force.

3. The Council may amend the Financial Protocol annexed to this Convention by a two-thirds majority of all the Member States provided that such amendment does not conflict with the Convention. Any such amendment shall come into force on a date to be decided by the Council by the same majority. The President of the Council shall inform all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of each such amendment and of the date on which it shall come into force.

## ARTICLE XI

### *Disputes*

Any dispute between two or more Member States concerning the interpretation or application of this Convention which is not settled by the good offices of the Council shall be submitted to the International Court of Justice, unless the Member States concerned agree on some other mode of settlement.

## ARTICLE XII

### *Withdrawal*

After this Convention has been in force for seven years, a Member State may, subject to the provisions of paragraph 4 of Article III, give notice in writing to the President of the Council of withdrawal from the Organization and such withdrawal shall take effect at the end of the financial year following that in which notice is given, or at such later date as the Member State proposes.

## ARTICLE XIII

### *Non-fulfilment of Obligations*

If a Member State fails to fulfil its obligations under this Convention, it shall cease to be a member of the Organization on a decision of the Council taken by a two-thirds majority of all the Member States.

## ARTICLE XIV

### *Dissolution*

The Organization shall be dissolved if at any time there are less than five Member States. It may be dissolved at any time by agreement between the Member States. Subject to any agreement which may be made between Member States at the time of dissolution, the State on the territory

of which the seat of the Organization is at that time established shall be responsible for the liquidation, and the surplus shall be distributed among those States which are members of the Organization at the time of the dissolution in proportion to the contributions actually made by them from the dates of their becoming parties to this Convention. In the event of a deficit, this shall be met by the existing Member States in the same proportions as those in which their contributions have been assessed for the financial year then current.

#### ARTICLE XV

##### *Signature*

This Convention and the annexed Financial Protocol, which is an integral part thereof, shall be open for signature until the thirty-first of December, 1953, by any State which satisfies the conditions laid down in paragraph 1 of Article III.

#### ARTICLE XVI

##### *Ratification*

1. This Convention and the annexed Financial Protocol shall be subject to ratification.

2. Instruments of ratification shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### ARTICLE XVII

##### *Accession*

1. Any State, not a signatory of this Convention, which satisfies the conditions laid down in paragraphs 1 or 2 of Article III may accede to the Convention and the Financial Protocol as from the first of January, 1954.

2. Instruments of accession shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### ARTICLE XVIII

##### *Entry into force*

1. This Convention and the annexed Financial Protocol shall enter into force when seven States have ratified, or acceded to, these instruments, provided that:

- (a) the total of their percentage contributions on the scale set out in the Annex to the Financial Protocol amounts to not less than seventy-five per cent; and
- (b) Switzerland, being the country in which the seat of the Organization is to be established, shall be among such seven States.<sup>(2)</sup>

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<sup>(2)</sup> The Convention and Financial Protocol entered into force on 29 September 1954.

2. This Convention and the annexed Financial Protocol shall enter into force for any other signatory or acceding State on the deposit of its instrument of ratification or accession, as the case may be.

## ARTICLE XIX

### *Notifications*

1. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall notify all signatory and acceding States, and all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory held at Paris in December, 1951, and at Geneva in February, 1952, of the deposit of each instrument of ratification or accession, and of the entry into force of this Convention.

2. The President of the Council shall notify all Member States and the Director-General of the United Nations Educational, Scientific and Cultural Organization of every withdrawal from, or termination of, membership.

## ARTICLE XX

### *Registration*

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall, upon the entry into force of this Convention, register it with the Secretary-General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF, the undersigned representatives, having been duly authorized thereto by their respective Governments, have signed this Convention.

DONE at Paris, this first day of July, 1953, in the English and French<sup>(3)</sup> languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, the Director-General of which shall transmit a certified copy to all signatory and acceding States and to all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory.

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<sup>(3)</sup> The Convention and Financial Protocol are registered with the United Nations as No. 2701.

**FINANCIAL PROTOCOL**  
**ANNEXED TO THE CONVENTION FOR THE ESTABLISHMENT**  
**OF A EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH**  
**[as later amended](<sup>4</sup>)**

THE STATES parties to the Convention for the Establishment of a European Organization for Nuclear Research (hereinafter referred to as "the Convention"),

DESIRING to make provision for the financial administration of the said Organization,

HAVE AGREED as follows:

**ARTICLE 1**

**Budget**

(1) The financial year of the Organization shall run from the first of January to the thirty-first of December.

(2) *Each Director-General* shall not later than the first of September in each year submit to the Council for consideration and approval detailed estimates of income and expenditure for the following financial year.

(3) Estimates of income and expenditure shall be divided under general headings. Transfers within the budget shall not be permitted except by authority of the Finance Committee referred to in Article 3. The exact form of the estimates shall be determined by the Finance Committee on the advice of *the Directors-General*.

**ARTICLE 2**

**Supplementary Budget**

The Council may require *a Director-General* to present supplementary or revised budget *estimates* if circumstances make it necessary. No *proposal* involving additional expenditure shall be deemed to be approved by the Council until it has approved an estimate submitted by the *appropriate Director-General* of the additional expenditure involved.

**ARTICLE 3\***

**Finance Committee**

(1) *The Finance Committee, established by paragraph 12 of Article V of the Convention, shall be composed of representatives of all Member States.*

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(<sup>4</sup>) This text incorporates amendments adopted by the Council of the Organization at its First and Forty-fifth Sessions which entered into force on 8 October, 1954 and 17 January, 1971 respectively, in accordance with Article X, paragraph 3 of the Convention. These amendments are shown in italics.

\* The original text of Article 3 (Treaty Series No. 3 (1960), Cmnd. 928) was amended at the First Session of the Council by deleting "five" and substituting "all" in the first sentence. At the Forty-fifth Session the whole Article was revised.

(2) *The Finance Committee shall, in reaching its decisions, follow the rules for voting and quorum prescribed for the Council in Article V of the Convention.*

(3) *This Committee shall examine the budget estimates of the Directors-General, after which they shall be transmitted to the Council with the Committee's report thereon.*

#### ARTICLE 4

##### **Contributions**

(1) For the period ending on thirty-first of December, 1954, the Council shall make provisional budgetary arrangements, which shall be met by contributions as provided for in paragraph (1) of the Annex to this Protocol.

(2) For the financial years 1955 and 1956, approved budget expenditure shall be met by contributions from Member States, which shall be assessed in the same proportions as the percentage figures set out in paragraph (2) of the Annex to this Protocol, it being understood that the provisos mentioned in (i) and (ii) of sub-paragraph (b) of paragraph 1 of Article VII of the Convention shall apply.

(3) From the first of January, 1957, approved budget expenditure shall be met by contributions from Member States as provided for in\* Article VII of the Convention.

(4) When any State, *whether on becoming a member of the Organization or later, first participates in a programme of activities*, the contributions of the other Member States concerned shall be reassessed and the new scale shall take effect as from the beginning of the current financial year. Reimbursements shall be made, if necessary, to ensure that the contributions paid by all the Member States for that year are in conformity with the new scale.

(5) (a) The Finance Committee shall in consultation with the *Directors-General* determine the terms on which payments in respect of contributions shall be made consistently with the proper financing of the Organization.

(b) *Each Director-General* shall thereafter notify Member States of the amount of their contributions and of the dates on which payments shall be made.

#### ARTICLE 5

##### **Currency of Contributions**

(1) The budget of the Organization shall be expressed in the currency of the country in which the seat of the Organization is established.†

(2) *The Council shall, by a two-thirds majority of all the Member States, determine the payments arrangements and the currency or currencies in which the contributions of the Member States shall be made.*

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\* The words " paragraph 1 of " have been deleted.

† The second sentence of this paragraph has been deleted.

ARTICLE 6

**Working Capital Funds**

The Council may establish working capital funds.

Article 7

*Financial Rules*

*After consultation with the Finance Committee, the Council shall, by a two-thirds majority of all the Member States, adopt rules for the financial administration of the Organization, which shall constitute the Financial Rules.*

Article 8

**Accounts and Auditing**

(1) *Each Director-General* shall keep an accurate account of all receipts and disbursements.

(2) The Council shall appoint auditors who will serve for three years in the first instance and may be reappointed. The auditors shall examine the accounts of the Organization, particularly in order to certify that the expenditure has conformed, within the limits specified in the Financial Rules,‡ to the provisions made in the budget, and shall discharge such other functions as are set out in the§ Financial Rules.

(3) *Each Director-General* shall furnish the auditors with such information and help as they may require to carry out their duties.

IN WITNESS WHEREOF, the undersigned representatives, having been duly authorized thereto by their respective Governments, have signed this Protocol.

DONE at Paris, this first day of July, 1953, in the English and French<sup>(6)</sup> languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, the Director-General of which shall transmit a certified copy to all signatory and acceding States and to all other States which took part in the Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory.

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‡ The words "referred to in Article 3" have been deleted.

§ The word "said" has been deleted.

<sup>(6)</sup> See footnote on page 13.

## ANNEX

- (1) Contributions for the period ending on the 31st of December, 1954.
- (a) The States which are parties to the Convention on the date of its entry into force, together with any other States which may become members of the Organization during the period ending on the 31st of December, 1954, shall between them contribute the whole of the sums required by such provisional budgetary arrangements as the Council may make under paragraph (1) of Article 4.
- (b) The contributions of the States which are members of the Organization when the Council first makes such provisional budgetary arrangements shall be provisionally assessed on the basis set out in paragraph (2) of Article 4, subject to the provisos mentioned in (i) and (ii) of sub-paragraph (b) of paragraph 1 of Article VII of the Convention, except that in proviso (i) thirty per cent shall be deemed to be substituted for twenty-five per cent.\*
- (c) The contributions of the States which become members of the Organization during the period between the first occasion on which provisional budgetary arrangements have been made and the 31st of December, 1954, shall be provisionally assessed in such a manner that the relative proportions between the provisional contributions of all Member States are the same as between the percentage figures set out in paragraph (2) of this Annex. Such contributions will serve either, as provided for in sub-paragraph (d) below, to reimburse subsequently part of the provisional contributions previously paid by the other Member States, or to meet additional budgetary appropriations approved by the Council during that period.
- (d) The final contributions due for the period ending on the 31st of December, 1954, from all the States which are members of the Organization on that date shall be retroactively assessed after that date on the basis of the total budget for the said period, so that they shall be those which they would have been if all these States had become parties to the Convention on the date of its entry into force. Any sum paid by a Member State in excess of its contribution thus retroactively assessed shall be placed to the credit of the Member State.
- (e) If all the States specified in the scale set out in paragraph (2) of this Annex have become members of the Organization before the 31st of December, 1954, their percentage contributions to the total budget for that period shall be those set out in that scale.

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\* This provision refers to the original text of Article VII.1 (b) (i) of the Convention which read as follows: "No Member State shall, in respect of the basic programme, be required to pay contributions in excess of twenty-five per cent of the total amount of contributions assessed by the Council to meet the cost of that programme".



(2) Scale to serve as a basis for the assessment of contributions during the period ending on the 31st of December, 1956.

	<i>Percentage</i>
Belgium . . . . .	4·88
Denmark . . . . .	2·48
France . . . . .	23·84
Federal Republic of Germany . . . . .	17·70
Greece . . . . .	0·97
Italy . . . . .	10·20
Netherlands . . . . .	3·68
Norway . . . . .	1·79
Sweden . . . . .	4·98
Switzerland . . . . .	3·71
United Kingdom of Great Britain and Northern Ireland . . . . .	23·84
Yugoslavia . . . . .	1·93
Total . . . . .	100·00

## SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of Signature</i>	<i>Date of Deposit of Ratification</i>
Belgium ... ..	1 July 1953	19 July 1954
Denmark ... ..	23 Dec. 1953	5 April 1954
France ... ..	} 1 July 1953	29 Sept. 1954
Germany, Fed. Rep. of ... ..		29 Sept. 1954
Greece ... ..		7 July 1954
Italy ... ..		24 Feb. 1955
Netherlands ... ..		15 June 1954
Norway ... ..		31 Dec. 1953
Sweden ... ..	1 July 1953	15 July 1954
Switzerland ... ..	17 July 1953	12 Feb. 1954
United Kingdom ... ..	} 1 July 1953	30 Dec. 1953
Yugoslavia* ... ..		9 Feb. 1955

\* Yugoslavia withdrew with effect from 31 December, 1961.

## ACCESSIONS

<i>State</i>	<i>Date</i>
Austria ... ..	10 Nov. 1959
Spain ... ..	6 June 1962

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