

No. 1751

**BELGIUM, DENMARK,
FEDERAL REPUBLIC OF GERMANY,
GREECE, ITALY, etc.**

Agreement (with annex) constituting a Council of Representatives of European States for planning an international laboratory and organizing other forms of co-operation in nuclear research. Signed at Geneva, on 15 February 1952

Official texts: English and French.

Registered by the United Nations Educational, Scientific and Cultural Organization on 12 June 1952.

**BELGIQUE, DANEMARK,
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE,
GRÈCE, ITALIE, etc.**

Accord (avec annexe) portant création d'un Conseil de Représentants d'États européens pour l'étude des plans d'un laboratoire international et l'organisation d'autres formes de coopération dans la recherche nucléaire. Signé à Genève, le 15 février 1952

Textes officiels anglais et français.

Enregistré par l'Organisation des Nations Unies pour l'éducation, la science et la culture le 12 juin 1952.

No. 1751. AGREEMENT¹ CONSTITUTING A COUNCIL OF REPRESENTATIVES OF EUROPEAN STATES FOR PLANNING AN INTERNATIONAL LABORATORY AND ORGANIZING OTHER FORMS OF CO-OPERATION IN NUCLEAR RESEARCH. SIGNED AT GENEVA, ON 15 FEBRUARY 1952

The European signatory States, Members of the United Nations Educational, Scientific and Cultural Organization, having taken part in the "Regional Conference for the organization of studies concerning the establishment of the European Nuclear Research Laboratory", which met in December 1951 at the seat of the United Nations Educational, Scientific and Cultural Organization,

CONSIDERING that, at its Fifth Session, the General Conference of the United Nations Educational, Scientific and Cultural Organization decided to promote and encourage the establishment and organization of regional research laboratories and centres in order to increase and make more fruitful collaboration of scientists in different countries in search of new knowledge in fields where the effort of any one country would be insufficient for the task ;

IN VIEW of the preliminary studies undertaken by the United Nations Educational, Scientific and Cultural Organization relating to the organization of nuclear research on a European regional basis ;

CONVINCED that the advance of this scientific research requires close collaboration on both a material and an intellectual plane ;

DESIRING for this purpose to establish an international research laboratory to study phenomena involving high energy particles in order to increase the knowledge of such phenomena and thereby to contribute to progress and to the improvement of the living conditions of mankind ;

CONSIDERING that the establishment of such a laboratory requires theoretical and technical investigation and the study of administrative, financial and legal problems involved ;

¹ Came into force on 2 May 1952, in accordance with paragraph 2, article IX, the following five States, whose financial contributions to the Council exceeded the sum of \$ 100,000, having signed the Agreement without reservation as to ratification or signed subject to ratification followed by ratification by 2 May 1952.

Signature without reservation as to ratification on :

| | |
|---------------------------------------|------------------|
| Federal Republic of Germany | 15 February 1952 |
| Netherlands | 15 February 1952 |
| Yugoslavia | 15 February 1952 |

Instrument of ratification deposited on :

| | |
|------------------|---------------|
| France | 11 April 1952 |
| Sweden | 2 May 1952 |

DESIRING to proceed with these studies immediately and also, on a provisional basis, to make use jointly, of the scientific equipment and facilities offered by certain of the signatory states ;

HAVE AGREED AS FOLLOWS :

Article I

ESTABLISHMENT OF A COUNCIL OF REPRESENTATIVES

A Council of Representatives of European States (hereinafter called "the Council"), is hereby constituted for planning an international laboratory and organizing other forms of co-operation in nuclear research. The seat of the Council shall be at Geneva.

Article II

COMPOSITION

1. The States which took part in the "Regional Conference for the organization of studies concerning the establishment of the European Nuclear Research Laboratory", which undertake to contribute in money or in kind to the Council and become parties to the present Agreement, shall be Members of the Council.

The governments of States which took part in the above-mentioned Conference, which have undertaken to contribute to the Council in money or in kind and which have signed the present Agreement subject to ratification, shall, pending the deposit of their instruments of ratification, be fully entitled to be represented on the Council and take part in all its work.

2. Any European State which has not taken part in the above mentioned Conference, which undertakes :

- 1) to co-operate in the work of the Council on a footing of the free reciprocal exchange of persons and scientific and technical information of Members in accordance with its programme of work, and
- 2) to make an adequate contribution to the Council in money or in kind,

is eligible for membership of the Council. Applications are subject to the approval of the Council. States referred to in this section must moreover become parties to the present Agreement.

3. The obligations of States to contribute to the Council in money or in kind are set out in the Annex to this Agreement.

4. Each Member may appoint not more than two representatives to the Council. It shall have one vote.

5. The Director-General of the United Nations Educational, Scientific and Cultural Organization, or his representative, may attend meetings of the Council and take part in its discussions without the right to vote.

Article III

FUNCTIONS OF THE COUNCIL

1. The function of the Council is to organize, on a regional European basis, collaboration in the study of phenomena involving high energy particles and thus to contribute to the progress of fundamental science.

For the purpose of such collaboration it shall :

- 1) make plans for the establishment of an international nuclear research laboratory and to this effect carry out :
 - (a) technical investigations relating to experimental equipment which should be furnished ;
 - (b) a study of the administrative, financial, legal and technical problems involved in establishing such an institution ;
- 2) take measures appropriate for utilizing the equipment and facilities put at its disposal in accordance with the provisions of agreements determining its right to use such equipment and facilities, provided that the financial obligations arising out of such agreements shall not prejudice the achievement of the purposes of the Council set out in paragraph 1) of this section.
- 3) undertake theoretical research in connection with the work described in paragraphs 1) and 2) of this section.

2. The Council shall make a report on the results of its work and studies, and submit it to the governments of its Members. This report shall contain the draft of a convention for the establishment of an international laboratory and for the organization of other forms of co-operation for nuclear research.

3. The Council shall seek to collaborate with the United Nations Educational, Scientific and Cultural Organization and shall enter into negotiations with it for a special agreement determining the particulars of such collaboration.

Article IV

METHOD OF WORK

1. The first meeting of the Council shall be summoned by the Chairman of the "Conference for the organization of studies concerning the establishment of a Regional Nuclear Research Laboratory."

2. The Council shall make its own Rules of Procedure, which shall, in particular, determine the method of appointing the Chairman, the frequency of its ordinary sessions and the method of convoking extraordinary sessions.

3. The Council may appoint a Committee consisting of not more than five persons, chosen from among the representatives of the Members of the Council.

The Committee shall, between meetings of the Council, exercise all powers specifically delegated to it by the Council.

4. The Council may, in exceptional cases, admit to its sessions, upon terms to be defined by it, representatives of scientific organizations which it desires to have associated with its work.

Article V

SECRETARY AND STUDY GROUPS

1. The Council shall appoint a Secretary from candidates put forward by Members of the Council and shall commit to him the task of carrying out its decisions under the authority of the Chairman. The Secretary shall represent the Council for legal and civil purposes. The Secretary of the Council shall keep in close contact with the study groups, as provided for in section 2.

2. The Council shall appoint the study groups necessary to carry out the functions described in Article III. Members of the study groups shall be chosen from candidates presented or approved by the Member States of which they are nationals. This shall not, however, prevent the Council from appointing persons who are nationals of States not Members of the Council.

Article VI

REVENUE AND BUDGET

1. The revenue of the Council is made up as follows :

- 1) contributions subscribed by Members ;
- 2) any donations which may be made to it.

2. The Council shall prepare its budget upon the basis and within the limits of the revenue received by it. It may, if its revenue is increased, make consequential amendments to the budget.

3. If, at the conclusion of its work, its revenue has not been completely disposed of or committed, the Council shall decide upon the disposal of the balance.

Article VII

LEGAL PERSONALITY AND FACILITIES

The Council shall, on the territory of its Members, have legal personality. The governments of its Members shall, in accordance with the provisions of existing legislation, grant it whatever facilities may be necessary for the exercise of its functions.

Article VIII

DURATION

1. This agreement is made for a period of eighteen months from the date of its coming into force, provided that it shall in any event terminate upon the date of the entry into force of the Convention referred to in Article III Section 2.

2. If such a Convention does not come into force within the period mentioned in the preceding section, Member States of the Council may decide to prolong the present Agreement for a period to be determined by them in accordance with a supplementary agreement which shall contain necessary provisions relating to additional revenue to be provided for the Council. The extension of this Agreement shall not in any case affect any State not party to the supplementary agreement.

Article IX

FINAL PROVISIONS

1. States entitled to become members of the Council shall become parties to this Agreement by signature without reserve as to ratification or by signature subject to ratification, followed by ratification. The agreement shall be open for signature at Geneva on 15 February 1952 and, after that date, at the seat of the United Nations Educational, Scientific and Cultural Organization.

2. It shall come into force when signed without reserve as to ratification, or signed subject to ratification and subsequently ratified by five of the States mentioned in Article II, Section 1, §1 and when the financial contributions to the Council undertaken by such States reach a total equivalent to one hundred thousand United States dollars.

3. States which sign the present Agreement subject to ratification shall become parties thereto upon depositing their instruments of ratification with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

4. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall notify the entry into force of the present Agreement to all States which have taken part in the "Regional Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory".

5. The Director-General of the United Nations Educational, Scientific and Cultural Organization shall upon the entry into force of this Agreement, present it for registration to the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the under-signed representatives, duly authorized to that effect, have signed the present Agreement.

DONE in the city of Geneva this fifteenth day of February, One Thousand Nine Hundred and Fifty-two, in one copy in the French and English languages, both texts being equally authentic.

The original shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization. The Director-General of that Organization shall transmit a certified copy to the States which took part in the "Regional Conference for the organization of studies concerning the establishment of a European Nuclear Research Laboratory" and to all other States which subsequently become members of the Council.

Pour la République Fédérale d'Alle- For the Federal Republic of Germany
magne

W. HEISENBERG

Pour le Royaume du Danemark For the Kingdom of Denmark

Jakob NIELSEN
(sous réserve de ratification)¹

Pour la République française For the French Republic

F. PERRIN — G. DUPOUY — F. DE ROSE
(sous réserve de ratification)¹

Pour le Royaume de Grèce For the Kingdom of Greece

D. HONDROS
(sous réserve de ratification)¹

Pour la République d'Italie For the Republic of Italy

A. CASATI
(sous réserve de ratification)¹

Pour le Royaume des Pays-Bas For the Kingdom of the Netherlands

J. H. BANNIER

¹ Subject to ratification.

Pour le Royaume de Suède

For the Kingdom of Sweden

Malte JACOBSSON
(subject to ratification)¹

Pour la Confédération Suisse

For the Confederation of Switzerland

Paul SCHERRER
(sous réserve de ratification)²

Pour la République populaire fédérative
de Yougoslavie

For the Peoples' Republic of Yugo-
slavia

Pavle SAVIĆ
Stevan DEDIJER

Pour le Royaume de Belgique

For the Kingdom of Belgium

2 avril 1952
GUILLAUME
(sous réserve de ratification)²

Pour le Royaume de Norvège

For the Kingdom of Norway

Rolf ANDVORD
5th of May 1952
(Subject to ratification)¹

Pour le Royaume-Uni

For the United Kingdom

¹ Sous réserve de ratification.

² Subject to ratification.

A N N E X

General Provisions

1. The States signing this Annex undertake respectively to make the contributions, in money or in kind, listed in this Annex, to the Council of Representatives of European States constituted by the principal Agreement.
2. A contribution in kind made by a State which participated in the "Regional Conference for the organization of studies concerning the establishment of the European Nuclear Research Laboratory," may be made the subject of a special agreement to be concluded between the Council and the contributory State.
3. The conditions upon which contributions in money or in kind may be accepted from States which did not participate in the above-mentioned conference, and which apply for membership of the Council, may be determined by the Council.
4. Special provisions relating to the contributions of States signing after the 15 February 1952 may be added later to this Annex.
5. This Annex shall come into force at the same time as the principal Agreement.

CONTRIBUTIONS

The German Federal Republic will contribute the sum of \$ 35,000 (thirty-five thousand dollars) in United States currency, payable to the Council as soon as it is legally constituted.

La République fédérale de l'Allemagne s'engage à fournir une contribution d'un montant de \$ 35,000 (trente-cinq mille dollars) qu'elle versera, en monnaie des États-Unis, au Conseil dès que celui-ci sera régulièrement constitué.

Signature : W. HEISENBERG

The Kingdom of Denmark undertakes to place the Institute of Theoretical Physics of the University of Copenhagen at the disposal of the Council to the extent necessary for assisting in the work of the European Study Group.

Le Royaume de Danemark s'engage à mettre dans la mesure nécessaire, à la disposition du Conseil, pour faciliter les travaux du groupe Européen d'étude, l'Institut de Physique Théorique de l'Université de Copenhague.

Signature : Jakob NIELSEN

The French Republic will contribute the sum of 25,000,000 French francs (twenty-five millions French francs), payable to the Council as soon as it is legally constituted.

La République française s'engage à fournir une contribution de 25 millions (vingt-cinq millions) de francs français, qu'elle versera au Conseil dès que celui-ci sera régulièrement constitué.

Signatures : F. PERRIN G. DUPOUY F. DE ROSE

The Republic of Italy will contribute the sum of \$ 25,000 (twenty-five thousand dollars), payable in Swiss francs, to the Council as soon as it is legally constituted.

La République d'Italie s'engage à fournir une contribution de \$ 25,000 (vingt-cinq mille dollars) qu'elle versera, en francs suisses, au Conseil dès que celui-ci sera régulièrement constitué.

Signature : A. CASATI

The Kingdom of the Netherlands will contribute the sum of \$ 10,000 (ten thousand dollars), payable to the Council as soon as it is legally constituted, in any European currency desired by the Council.

Le Royaume des Pays-Bas s'engage à fournir une contribution d'un montant de \$ 10,000 (dix mille dollars) qu'il versera en monnaie de pays européens, au choix du Conseil, dès que celui-ci sera régulièrement constitué.

Signature : J. H. BANNIER

The Kingdom of Sweden will contribute the sum of 57,000 Swedish Crowns (fifty-seven thousand Swedish Crowns), payable to the Council as soon as it is legally constituted.

Le Royaume de Suède s'engage à fournir une contribution d'un montant de 57.000 couronnes suédoises (cinquante-sept mille couronnes suédoises), qu'il versera au Conseil dès que celui-ci sera régulièrement constitué.

Signature : Malte JACOBSON

The Peoples' Federal Republic of Yugoslavia will contribute the sum of \$ 10,000 (ten thousand dollars) in United States currency, payable to the Council as soon as it is legally constituted.

La République Populaire Fédérative de Yougoslavie s'engage à fournir une contribution d'un montant de \$ 10,000 (dix mille dollars) qu'elle versera en monnaie des États-Unis au Conseil dès que celui-ci sera régulièrement constitué.

Signatures : Pavle SAVIĆ Stevan DEDIJER

The Kingdom of Norway will contribute the sum of \$ 5,000 (five thousand dollars) to the Council, as a maximum contribution.

Le Royaume de Norvège s'engage à fournir une contribution de \$ 5.000 (cinq mille dollars) au Conseil, montant qui constitue un maximum.

Signature : Rolf ANDVORD, 5th of May 1952.

The Confederation of Switzerland has paid the sum of thirty thousand Swiss francs to the United Nations Educational, Scientific and Cultural Organization for the account of the Council.

La Confédération suisse a versé la somme de trente mille francs suisses à l'Organisation des Nations Unies pour l'Éducation, la Science et la Culture pour le compte du Conseil.

Signature : P. SCHERRER, May 5th, 1952.

The Kingdom of Belgium has paid the sum of One million Belgian francs in Swiss currency to the United Nations Educational, Scientific and Cultural Organization for the account of the Council.

Le Royaume de Belgique a versé la somme de un million francs belges en monnaie suisse à l'Organisation des Nations Unies pour l'Éducation, la Science et la Culture pour le compte du Conseil.

Signature : J. WILLEMS, May 5th 1952.