

No. 7401

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND, AUSTRALIA,  
BELGIUM, FRANCE, FEDERAL REPUBLIC  
OF GERMANY, ITALY and NETHERLANDS**

**Convention for the establishment of a European Organisation for the Development and Construction of Space Vehicle Launchers (with annexes, Financial Protocol and Protocol concerning certain responsibilities in connection with the initial programme). Done at London, on 29 March 1962**

*Official texts: English and French.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on 31 August 1964.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD, AUSTRALIE,  
BELGIQUE, FRANCE, RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE, ITALIE et PAYS-BAS**

**Convention portant création d'une Organisation européenne pour la mise au point et la construction de lanceurs d'engins spatiaux (avec annexes, Protocole financier et Protocole concernant certaines responsabilités à l'égard du programme initial). Faite à Londres, le 29 mars 1962**

*Textes officiels anglais et français.*

*Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 31 août 1964.*

No. 7401. CONVENTION<sup>1</sup> FOR THE ESTABLISHMENT OF A  
EUROPEAN ORGANISATION FOR THE DEVELOPMENT  
AND CONSTRUCTION OF SPACE VEHICLE LAUNCHERS.  
DONE AT LONDON, ON 29 MARCH 1962

The States parties to this Convention ;

Conscious of the role which space activities are destined to play in the progress of science and technology ;

Convinced that a common effort undertaken without delay holds the best promise of achievements in keeping with the creative capacities of their countries ;

Desiring to harmonise their policies in space matters with a view to common action for peaceful purposes ;

Having decided to co-operate in the development of space vehicle launchers and to study their scientific and commercial application ;

Have agreed as follows :

CHAPTER I  
THE ORGANISATION

*Article 1*

ESTABLISHMENT OF THE ORGANISATION

(1) A European Organisation for the Development and Construction of Space Vehicle Launchers (hereinafter referred to as "the Organisation") is hereby established.

(2) The seat of the Organisation shall be in Paris.

<sup>1</sup> In accordance with article 28 (1), the Convention and annexed Protocols came into force on 29 February 1964 in respect of the following states, on behalf of which the instruments of ratification were deposited with the Government of the United Kingdom of Great Britain and Northern Ireland on the dates indicated :

Australia . . . . .	15 January 1963
United Kingdom of Great Britain and Northern Ireland . . . . .	28 March 1963
Netherlands . . . . .	12 June 1963
France . . . . .	30 January 1964
Federal Republic of Germany . . . . .	29 February 1964

Subsequently the Convention entered into force for Belgium on 2 April 1964, the date of deposit of its instrument of ratification.

*Article 2*

## AIMS

(1) The Organisation shall have as its aim the development and construction of space vehicle launchers and their equipment suitable for practical applications and for supply to eventual users.

(2) The Organisation shall concern itself only with peaceful applications of such launchers and equipment.

(3) The results of the work of the Organisation shall be freely accessible to Member States, in accordance with the provisions of this Convention.

(4) The Organisation shall seek to promote the co-ordinated development of techniques relevant to its activity in the Member States and shall assist Member States, on request, to make use of the techniques used or developed in the course of its work.

*Article 3*

## MEMBERSHIP

(1) The Members of the Organisation shall be those States which sign and ratify this Convention in accordance with Articles 26 and 27.

(2) Other States may be invited to become Members of the Organisation by acceding to this Convention on such terms as the Council referred to in Article 13 shall decide.

## CHAPTER II

## GENERAL PRINCIPLES

*Article 4*

## PARTICIPATION IN PROGRAMMES

(1) The States parties to this Convention shall participate in the initial programme described in Article 16.

(2) Further programmes shall be decided by the Council.

(3) Subject to the provisions of Article 18 (3), every Member State shall be obliged to contribute financially to further programmes, unless it formally declares itself as not interested and therefore does not participate in them.

*Article 5*

## FACILITIES

(1) The Organisation shall use to the fullest extent practicable any facilities available to Member States.

✓ (2) The Organisation may, if necessary, establish additional facilities.

✓ (3) Any Member State participating in a programme of the Organisation shall be entitled to use for any peaceful purpose of its own, facilities that have been made available to the Organisation by another State or have been established by it in the course of that programme subject to the approval having first been obtained of the State within whose jurisdiction the facilities are situated and on conditions agreed with that State and, in the case of facilities established by the Organisation, with the Organisation. The Member State which makes facilities available to the Organisation shall retain the right to use those facilities freely and by priority, with due regard to the contractual arrangements between that State and the Organisation.

✓ (4) Any arrangement between the Organisation and a Member State for the creation of facilities on the territory of that State shall provide for the circumstances which would arise should that State cease to be a Member of the Organisation.

#### Article 6

#### DISTRIBUTION OF WORK AND PLACING OF CONTRACTS

✓ (1) Within the framework of the decisions of the Council on the distribution of work in accordance with the provisions of Article 14 (2) (f) and within the budgetary provisions made by the Council, whenever the Government of the Member State to which work is allotted so desires, contracts for carrying out the initial programme shall be placed by that Government according to its usual procedures or such other procedures as may be adopted by a unanimous decision of the Council. Such contracts shall be carried out at the expense of the Organisation.

(2) Contracts may also be placed directly by the Organisation in agreement with the Government of the State in the territory of which the work is to be carried out.

(3) The Council shall determine the adequate distribution of work on the further programmes of the Organisation in the light of technical and economic criteria.

(4) The Council shall determine the rules by which contracts for carrying out work on such further programmes shall be placed.

#### Article 7

#### ACCESS TO WORK OF THE ORGANISATION

Member States which contribute to the cost of a programme of the Organisation shall have the right to designate to the Organisation a limited number of individuals—

(a) to participate in the work on that programme proceeding in the governmental establishments of other Member States, including the firing trials at Woomera, Australia ;

(b) to participate in the work on that programme proceeding in non-governmental organisations, subject to the agreement of such organisations ;

provided in either case that the number and qualifications of such individuals, including their qualifications in the matter of security, and the conditions of such participation are approved by the Government of the Member State within whose jurisdiction such establishments and organisations are located. Such approval shall not be unreasonably withheld.

#### Article 8

##### EXCHANGE OF INFORMATION

(1) While this Convention remains in force :

(a) there shall be made available to the Organisation and to any Member State which participates in the initial programme—

- (i) all technical information arising from work relevant to the initial programme of the Organisation done for the development of “Blue Streak” or done on the French rocket to be used as the second stage and which has been carried out before the entry into force of this Convention and
- (ii) all technical information arising from work done directly by the Organisation or under contracts placed as part of the Organisation’s initial programme ;

(b) there shall be made available to the Organisation and to any Member State which contributes to the cost of the further programmes of the Organisation all technical information arising from work done either directly by the Organisation or under contracts placed for such programmes ;

(c) the term “technical information” includes inventions covered by patents or other forms of legal protection. In the contracts concluded with a view to carrying out the programmes of the Organisation, in accordance with Article 6, the Organisation or the Member States shall insert clauses allowing the free disclosure and the use referred to in this Article, except when otherwise authorised by the Secretary-General ;

(d) the Organisation may use such information or cause such information to be used for the carrying out of its programmes without payment ;

(e) Member States—

- (i) may use such information for any purposes of their own without payment and
- (ii) may make the information available to persons, whether individuals, companies or organisations under their jurisdiction to use for their own purposes within the field of space technology provided such persons are resident in the territory of the Member State making the information available. The conditions under which such technical information arising under contracts placed as part of the program-

mes of the Organisation may be used by such persons for purposes not within the field of space technology shall be determined in a Protocol to be concluded among all Member States.

In either case, subject to the provisions of sub-paragraph (f), the information shall only be used within and shall not be transferred beyond the territory of the Member State making the information available or the territory of another Member State. When disclosing such information to persons under their jurisdiction Member States shall impose a restriction by contract or otherwise on the disclosure of that information to any other individual, company or organisation ;

(f) even after dissolution of the Organisation, Member States may not disclose such information to a non-Member State or to a Member State which has not taken part in a particular programme or to persons other than those referred to in sub-paragraph (e) (ii) above, except that by unanimous decision of the Council—

(i) such restriction shall not apply to the disclosure of information by Member States or persons as defined in sub-paragraph (e) (ii) above under reciprocal agreements for the exchange of information in the interests of the Organisation ;

(ii) information may in certain circumstances be used in or transferred to non-Member States or non-participating Member States ;

(g) technical information incorporated in a space vehicle launcher arising outside contracts placed as part of any of the Organisation's programmes, or arising outside the work referred to in sub-paragraph (a) (i) above done on the development of "Blue Streak" or the French rocket to be used as the second stage, shall not be made available to Member States without the consent of the persons who own that information.

(2) (a) Information and matter which originate from or are made use of within the scope of the activities of the Organisation, the unauthorised disclosure of which may endanger the security interests of a Member State shall be protected accordingly. The Council shall establish by unanimous decision regulations to ensure a common minimum standard of protection for such information and matter.

(b) Member States shall take all appropriate measures to protect the information and matter referred to in the preceding sub-paragraph and to give effect to the regulations established by the Council.

#### *Article 9*

#### ACQUISITION AND PRODUCTION OF JOINTLY DEVELOPED EQUIPMENT BY MEMBER STATES

Each Member State which has contributed to the cost of a programme of the Organisation shall have the right to procure, for any peaceful purpose of its own, the

launchers and equipment jointly developed under such programme or any part thereof. For this purpose, each Member State shall have the right to call upon the Organisation, or any other Member State in the territory of which such launchers and equipment is or has been in production, to sell such launchers and equipment or to use its best endeavours by means of the framing of the contracts to enable such launchers and equipment to be procured from non-governmental organisations in its own territory. In either case, Governments shall use their best endeavours to ensure that the cost is calculated on the same basis as the cost of procurement by the Organisation or by the Member State in the territory of which such equipment is produced and shall ensure that contracts placed with non-governmental organisations contain clauses to that effect.

*Article 10*

COMMERCIAL EXPLOITATION

Member States which propose to exploit commercially, either alone or in conjunction with non-Member States, a space vehicle launcher jointly developed under a programme of the Organisation shall give to all Member States which have contributed to the cost of that programme an opportunity to participate in such exploitation on reasonable terms.

*Article 11*

DELIVERY TO THIRD PARTIES

The conditions for delivery to States which are not Members of the Organisation, or to international organisations, of launchers and equipment developed by the Organisation shall be decided by the Council in accordance with the provisions of Article 14 of this Convention.

*Article 12*

CO-OPERATION WITH OTHER STATES OR ORGANISATIONS

(1) The Organisation may co-operate with any Government or body pursuing purposes analogous to its own. To this end and in accordance with the provisions of Article 14 (3) (d) (i), the Council may conclude with a non-Member State, a union of States or an international organisation, agreements containing reciprocal rights and obligations, common action and special procedures.

(2) In the event of the creation of a European organisation for collaboration in the field of space research referred to in the Agreement setting up a Preparatory Commission to study the possibilities of European collaboration in the field of space research, signed at Meyrin on 1st December, 1960,<sup>1</sup> the closest possible co-operation shall be maintained between the two organisations. To this end, the Council shall

<sup>1</sup> United Nations, *Treaty Series*, Vol. 414, p. 109, and p. 312 of this volume.

formally suggest to the European Space Research Organisation the establishment of a joint co-ordinating committee to consider matters of joint concern including the desirability of a merger between the two organisations.

(3) The Council shall transmit an annual report on its activities for the information of the Council of Europe.

### CHAPTER III

## STRUCTURE OF THE ORGANISATION

### *Article 13*

#### ORGANS

The tasks entrusted to the Organisation shall be carried out by a Council and a Secretary-General assisted by a Technical Director, an Administrative Director and the necessary staff.

### *Article 14*

#### THE COUNCIL

(1) The Council shall be composed of two delegates from each Member State. These delegates may be assisted at meetings by advisers.

(2) The Council shall in accordance with the provisions of paragraph (3) of this Article :

- (a) determine the general policy of the Organisation in scientific, technical, financial and administrative matters ;
- (b) adopt the budget and determine the financial arrangements of the Organisation in accordance with Article 18 and the Financial Protocol annexed to this Convention ;
- (c) determine the research, development and construction programmes of the Organisation ;
- (d) define the main features of and the plans for financing each programme ;
- (e) decide on the offers of assistance made by Member States for the fulfilment of programmes in the form of research or in the making available of materials, facilities or other assistance ;
- (f) decide on the distribution of work among Member States ;
- (g) review the execution of programmes and expenditure ;
- (h) review the operation of the provisions of Article 7 for access to the work of the Organisation ;



- (i) approve and circulate to Member States audited annual accounts of the Organisation ;
- (j) decide on the principles to be followed in the engagement and employment of staff by the Organisation ;
- (k) appoint the Secretary-General and, in agreement with him, the Technical Director, the Administrative Director and the staff, and may dismiss them ;
- (l) receive and consider reports from the Secretary-General concerning the activities of the Organisation ;
- (m) decide on the possible establishment of subordinate bodies and determine their terms of reference ;
- (n) take any decisions in regard to co-operation with other international organisations ;
- (o) take any decisions regarding the conditions of delivery to eventual users of launchers produced by the Organisation, without prejudice to the rights of Member States under Article 9 ;
- (p) decide on the possible admission of new Members in accordance with Article 3 (2), and on the arrangements for the possible withdrawal of a Member in accordance with Article 23 ;
- (q) implement, as necessary, the dissolution of the Organisation agreed by Member States in accordance with Article 25 ;
- (r) within the framework of the provisions of this Convention, take all measures necessary for the fulfilment of the aims of the Organisation.

(3) (a) Each Member State shall have one vote in the Council.

(b) No Member State shall have a vote on questions relating to a programme to which it does not contribute.

(c) A Member State shall have no vote in the Council if the amount of its unpaid contributions to the Organisation 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 Member States, permit such Member State to vote if it is satisfied that the failure to pay is due to circumstances beyond the control of the State concerned.

(d) (i) Decisions of the Council on the following questions shall be taken by an unanimous vote of all Member States :

1. the admission of new Members, in accordance with Article 3 (2) ;
2. the adoption of the regulations on the placing of contracts referred to in Article 6 (1) ;

3. the disclosure of information to non-Member States and to Member States which have not participated in the particular programme, in accordance with Article 8 (1) (f) ;
4. the adoption of security regulations, in accordance with Article 8 (2) ;
5. the delivery of launchers and equipment to third parties, in accordance with Article 11 ;
6. the approval of agreements envisaged in Article 12 (1) ;
7. the determination of the majority necessary for decisions on questions referred to in 1 and 2 of sub-paragraph (ii) of this paragraph concerning the further programmes, and also concerning the initial programme if the orientation of it envisaged in Article 16 (3) amounts in effect to a further programme ;
8. the amendment of the Financial Protocol,<sup>1</sup> in accordance with Article 21 (3).

(ii) For the initial programme, decisions of the Council on the following questions shall be taken by a special two-thirds majority of all Member States including the concurring votes of Member States whose contributions amount to at least 85% of the contributions made to the Organisation :

1. the adoption of the annual budget, in accordance with paragraph 2 (b) of this Article ;
2. the determination of the research, development and construction programmes, in accordance with paragraph 2 (c) of this Article.

(iii) Decisions of the Council on the following questions shall be taken by a two-thirds majority of all Member States :

1. the distribution of work among Member States, in accordance with paragraph 2 (f) of this Article ;
2. the establishment of subordinate bodies and the determination of their terms of reference, in accordance with paragraph 2 (m) of this Article ;
3. the question of voting by a Member State the contributions of which are in arrears, in accordance with paragraph 3 (c) of this Article ;
4. the appointment and dismissal of the Secretary-General, the Technical Director and the Administrative Director, in accordance with Article 15 (1) and (7) ;
5. the temporary and partial delegation of powers, including the power to appoint staff in accordance with Article 15 (12) ;
6. the recommendation of amendments to this Convention, in accordance with Article 21 (1) ;
7. the decisions on the arrangements to be made under Article 23 with a Member State wishing to withdraw from the Organisation ;

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<sup>1</sup> See p. 230 of this volume.

8. the termination of a Member State's membership under Article 24 ;
9. the adoption of its rules of procedure and such other rules and regulations as the Council is required to adopt under the provisions of this Convention.

(iv) Decisions of the Council on other questions shall be taken by a simple majority of all Member States.

(e) In cases where certain Member States formally declare themselves "not interested", majorities shall be deemed to have been achieved without the votes of those States. This declaration shall in particular be made in respect of the decision referred to in paragraph (3) (d) (i) 7 of this Article by a Member State which has decided not to participate in a further programme of the Organisation.

(f) The presence of delegates from a majority of Member States shall be necessary to constitute a quorum at any meeting of the Council.

(g) Pending the deposit of their instruments of ratification, the States which have signed this Convention may arrange to be represented at the meetings of the Council and participate in its work. This right shall not include the right to vote.

(4) The Council shall meet at least twice a year and decide on the place of its meetings. The President of the Council may convene additional meetings of the Council.

(5) 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.

(6) In accordance with the provisions of this Convention, the Council shall adopt its own rules of procedure, financial regulations and special implementing instructions.

#### *Article 15*

#### THE SECRETARY-GENERAL AND STAFF

(1) The Council shall appoint a Secretary-General for a specified period by a two-thirds majority of all Member States.

(2) The Secretary-General shall be the principal executive officer of the Organisation and shall be its legal representative. He shall be responsible to the Council and shall submit an annual report to the Council on all matters concerning the functioning of the Organisation. He shall participate without voting rights in all the meetings of the Council.

(3) The Secretary-General shall be responsible for—

- (a) the formulation and performance of programmes ;
- (b) the supervision of the execution of programmes ;

- (c) the control of administrative, financial and legal matters ;
- (d) the conduct of the external relations of the Organisation.

(4) The Secretary-General, in accordance with the instructions of the Council, shall have power to conclude with a Member State on behalf of the Organisation agreements relating to the operations of the Organisation within territory under the jurisdiction of that State.

(5) The Council shall appoint the Secretary-General as soon as possible after the entry into force of the Convention. Until such an appointment is made or on the occurrence of a subsequent vacancy or in the event of the incapacity of the Secretary-General, the Council shall appoint a person to act in his stead. The person so appointed shall have such powers and responsibilities as the Council may direct.

(6) The Secretary-General shall be assisted by a Technical Director, an Administrative Director, a secretariat and such scientific, technical and administrative staff as authorised by the Council.

(7) The Technical Director and the Administrative Director shall be appointed by the Council, in agreement with the Secretary-General, for a specified period by a two-thirds majority of all Member States.

(8) The Technical Director shall be responsible to the Secretary-General for carrying out the policies and programmes determined by the Council.

(9) The Technical Director shall, within the framework of the general policies, programmes and budgets determined by the Council—

- (a) formulate detailed plans and cost estimates for the carrying out of research, development and construction programmes, including any associated firing programmes, decided on by the Council ;
- (b) exercise control over the execution of such plans ;
- (c) report to the Secretary-General on the carrying out of his responsibilities.

(10) The staff of the Organisation shall have direct access to all work carried on under this Convention in order to ensure adequate technical control and co-ordination of the work, subject to the right of the Member State in the territory of which the work is being carried on to refuse access to any individual, in accordance with the provisions of Article 7.

(11) In the performance of their duties, persons employed by the Organisation shall neither request nor accept instructions from any Government or any authority outside the Organisation. They shall refrain from any action incompatible with their position as international officials and shall be responsible only to the Organisation. Member States shall respect the international character of the responsibilities of such persons and not seek to influence them in the performance of their duties.

(12) In appointing staff regard shall be had to their technical qualifications and also to the need for an adequate distribution of posts among nationals of Member States participating in the programme in hand. Before appointing an officer to the senior staff and before confirming the appointment of an officer to the junior staff, the Secretary-General shall consult the Member State whose nationality that officer possesses. The Council may, by a two-thirds majority, delegate its powers to appoint staff to the Secretary-General, the Technical Director and the Administrative Director.

#### CHAPTER IV PROGRAMMES

##### *Article 16*

#### INITIAL PROGRAMME AND STUDY OF FURTHER PROGRAMMES

(1) The Organisation shall undertake as its initial programme the design, development and construction of a space vehicle launcher using as its first stage the rocket "Blue Streak" and with a French rocket as its second stage. The design and development of the other parts of the system and of a first series of satellite test vehicles shall be carried out under such arrangements as the Council may decide insofar as no other decisions have been taken as recorded in the Protocol<sup>1</sup> annexed to this Convention.

(2) In the initial programme, the development firings of the first stage and of the complete launcher shall be conducted at Woomera, Australia. The development firings of the second and third stages shall be carried out wherever economic and technical conditions are most favourable.

(3) When the Organisation comes into existence, it shall continue the study of future possibilities and the need for launchers and ranges. This study shall include experimental research. After a period of two years a report on the study shall be presented to the Council. The Council shall then consider what new programme it would be desirable to undertake and also the orientation of the initial programme, having regard to the progress already obtained and the state of the art.

(4) The initial programme shall be financed in accordance with the provisions of the Financial Protocol annexed to this Convention. This Protocol also includes the amount of the budget which will be allocated to the study mentioned in paragraph (3) of this Article during the first two years.

(5) If it is decided to undertake a further programme, the sum expended on the study mentioned in paragraph (3) of this Article shall then be reimbursed to the initial programme and divided accordingly.

<sup>1</sup> See p. 240 of this volume.

*Article 17*

## OPERATIONS IN MEMBER STATES

Subject to the provisions of this Convention, all operations in connection with a programme of the Organisation shall be carried out in accordance with conditions agreed with the Member State within whose jurisdiction the operations take place.

## CHAPTER V

## FINANCE

*Article 18*

## FINANCE

(1) The facilities created before 1st November, 1961, by Member States, a list<sup>1</sup> of which is annexed to this Convention, shall be available for the initial programme without charge to the Organisation.

(2) Subject to the provisions of paragraph (3) of this Article, each Member State shall contribute, in accordance with the provisions of the Financial Protocol annexed to this Convention, to the expenditure incurred by individual Member States for the purposes of the Organisation, to capital expenditure and to the operating expenses of the Organisation including the running costs of the facilities made available under paragraph (1) of this Article. Such expenditure and costs shall only be reimbursed if they are properly supported and are incurred on or after 1st November, 1961.

(3) In recognition of its expenditure on the Woomera Range and supporting facilities and of its making available to the Organisation appropriate range and supporting facilities in Australia and associated technical co-operation, the Commonwealth of Australia shall be entitled to become a Member of the Organisation without further financial contribution for the initial programme and shall be deemed to have contributed to the cost of that programme. In the event of Australia's wishing to participate in further programmes of the Organisation, the terms of such participation shall be determined by consultation between the Commonwealth of Australia and the other Member States participating in such programmes having particular regard to the extent to which the facilities in Australia are required by the Organisation and can be made available.

(4) Provision shall be included, under a separate heading, in the budget of the initial programme to meet expenditure in respect of the study to be undertaken in accordance with the provisions of Article 16 of this Convention to consider proposals for a further programme.

<sup>1</sup> See p. 216 of this volume.

(5) The financing of any further programme approved by the Council shall be the subject of a revised scale of contributions in accordance with the provisions of the Financial Protocol annexed to this Convention.

#### CHAPTER VI

### GENERAL PROVISIONS

#### *Article 19*

#### DEFINITIONS

For the purpose of this Convention, the words and phrases used therein shall have the meanings assigned to them in the list of definitions annexed.<sup>1</sup>

#### *Article 20*

#### LEGAL STATUS AND PRIVILEGES

The Organisation shall have legal personality. It shall in particular have the capacity to contract, to acquire and dispose of moveable and immovable property, and to institute legal proceedings. A Protocol to be concluded among Member States shall define the privileges and immunities which the Organisation, its officials and such categories of persons taking part in its work as shall be specified in the Protocol shall enjoy in the territory of those States, and the privileges and immunities which the representatives of Member States to the Council and the members of subordinate bodies shall enjoy.

#### *Article 21*

#### AMENDMENTS

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

(2) Any amendment recommended by the Council shall require acceptance in writing. It shall come into force thirty days after the Government of the United Kingdom of Great Britain and Northern Ireland has received notification of acceptance from all Member States. The Government of the United Kingdom shall inform all Member States of the date of entry into force of any such amendment.

(3) The Council may by unanimous vote amend the Financial Protocol annexed to this Convention. Such amendments shall come into force on a date to be decided

<sup>1</sup> See p. 228 of this volume.

by the Council. The Secretary-General shall inform all Member States of amendments so adopted and of the date of their entry into force.

(4) Member States acceding to this Convention after its entry into force shall be notified of any amendments to this Convention and shall be deemed to have accepted them.

#### *Article 22*

#### DISPUTES

(1) In the event of any dispute between two or more States, Members of the Organisation or former Members, or between one or more of them and the Organisation, concerning the interpretation or the application of this Convention, not being settled by the good offices of the Council, an Arbitral Tribunal shall be set up at the request of one of the parties, unless the parties agree on some other mode of peaceful settlement.

(2) Each of the parties to the dispute shall appoint a member of the Tribunal within a period of two months from the date of receipt of the request from the other party. If several Member States or former Member States of the Organisation are co-plaintiffs or co-defendants, such States shall agree upon a joint member. The members so appointed shall agree on the choice of a chairman for the Arbitral Tribunal, who shall be a national of a Member State other than the States parties to the dispute. If all the Member States are parties to the dispute, the chairman of the Arbitral Tribunal may not be a national of a Member State or of a former Member State of the Organisation, but a national of a State which is a member of the Council of Europe. If, within the period of two months referred to above, one of the parties has not appointed the member of the Arbitral Tribunal for whose nomination it is responsible, or if, within a period of two months from the date of nomination of all the members of the Arbitral Tribunal, the latter have not agreed upon the appointment of a chairman, the President of the Court of Justice of the European Communities shall make such appointments at the request of any one of the parties.

(3) The decision of the Arbitral Tribunal shall be by a majority vote. Their decisions shall be binding on the parties to the dispute. Each party shall be responsible for the expenses incurred by its member of the Arbitral Tribunal as well as for those of its representation in the proceedings before the Tribunal. In addition, unless the Tribunal decides otherwise, the parties to the dispute shall share equally in the expenses incurred by the chairman of the Arbitral Tribunal and in the other expenses. In all other respects, the Arbitral Tribunal shall determine its own rules of procedure.

#### *Article 23*

#### WITHDRAWAL

(1) After this Convention has been in force for five years any Member State may denounce it by giving notice in writing to the Government of the United Kingdom.



Such denunciation shall take effect at the end of the financial year in which it is notified if the notice is given during the first nine months of the financial year. If the notice is given in the last three months of the financial year, it shall take effect at the end of the next financial year.

(2) A Member State may not withdraw from the Organisation before the end of any programme in which it has agreed to participate.

(3) The Council shall decide, in agreement with the State wishing to withdraw from the Organisation under paragraph (1), whether and to what extent the provisions of Chapter II should continue to apply on the withdrawal of that State and the conditions relating thereto, and arrangements shall be agreed concerning the continued use of facilities in the territory of that State which have been made available to the Organisation.

#### *Article 24*

#### NON-FULFILMENT OF OBLIGATIONS

Any Member State which fails to fulfil its obligations under this Convention shall cease to be a Member of the Organisation on a decision of the Council taken by a two-thirds majority of all Member States. Arrangements shall be made concerning any facilities used by the Organisation in the territory of that State.

#### *Article 25*

#### DISSOLUTION

The Organisation 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 in the territory of which the seat of the Organisation is at that time established shall in conjunction with the Organisation be responsible for liquidation of the Organisation and for the disposal on behalf of the Organisation of any property of the Organisation situated in the territory of Member States, and the surplus shall be distributed among those States which are Members of the Organisation at the time of the dissolution, in proportion to the contributions made by them from the dates of their becoming parties to this Convention. In the event of a deficit, this shall be met by such Member States in the same proportions as those in which their contributions have been assessed for the financial year then current.

#### CHAPTER VII

#### FINAL PROVISIONS

#### *Article 26*

#### SIGNATURE

This Convention and the Protocols annexed thereto, which are an integral part thereof, shall be open for signature at London until 30th April, 1962, by States repre-

sented by delegates or observers at the Conference held at London from 30th October, 1961 to 3rd November, 1961.

*Article 27*

RATIFICATION AND ACCESSION

(1) This Convention, and the Protocols annexed, shall be subject to ratification.

(2) Instruments of ratification, as well as instruments of accession in respect of States acceding to this Convention in accordance with the provisions of paragraph (2) of Article 3, shall be deposited with the Government of the United Kingdom.

*Article 28*

ENTRY INTO FORCE

(1) This Convention and the Protocols annexed shall enter into force when instruments of ratification have been deposited, in accordance with the provisions of paragraph (2) of Article 27, by States the total of whose contributions according to the table in the Annex to the Financial Protocol annexed amounts to at least 85%.

(2) The present Convention and the Protocols annexed shall enter into force for any State which deposits its instrument of ratification or accession after their entry into force as laid down in the preceding paragraph on the date of deposit of such instrument.

*Article 29*

NOTIFICATIONS

(1) The Government of the United Kingdom shall notify all signatory States of the deposit of each instrument of ratification and of the entry into force of this Convention, and all Member States of the deposit of each instrument of accession.

(2) The Government of the United Kingdom shall inform all Member States of every denunciation of this Convention or termination of membership of the Organisation by any Member State.

*Article 30*

REGISTRATION

Upon entry into force of this Convention and the Protocols annexed, the Government of the United Kingdom shall register them 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 plenipotentiaries, duly authorised thereto, have signed this Convention.

DONE at London this 29th day of March, 1962, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, who shall transmit a certified true copy to each signatory and acceding State.

For the Commonwealth of Australia :            Pour le Commonwealth d'Australie :

E. J. HARRISON

[TRADUCTION — TRANSLATION]

The Government of the Commonwealth of Australia has signed this Convention on the understanding :

- (i) that with regard to the safety aspects of the Organisation's activities in Australia and in the territories within Australian jurisdiction the Organisation will in advance satisfy the requirements of the Australian Government and
- (ii) that the provisions of the Convention relating to disputes and arbitration do not extend to security matters associated with the Organisation's activities in Australia and in territories within Australian jurisdiction, these being matters which will remain the responsibility of the Australian Government.

E. J. HARRISON

Le Gouvernement du Commonwealth d'Australie a signé la présente Convention en considérant comme entendu :

- i) Que, pour ce qui est des aspects « sécurité » des activités de l'Organisation en Australie et dans les territoires placés sous la juridiction de l'Australie, l'Organisation se conformera d'avance aux exigences du Gouvernement australien ;
- ii) Que les clauses de la Convention relatives aux différends et à l'arbitrage ne s'étendent pas aux questions de sécurité liées aux activités de l'Organisation en Australie et dans les territoires placés sous la juridiction de l'Australie, ces questions demeurant la responsabilité du Gouvernement australien.

E. J. HARRISON

For the Kingdom of Belgium :            Pour le Royaume de Belgique :

J. DE THIER

For the Kingdom of Denmark :            Pour le Royaume de Danemark :

For the French Republic :            Pour la République Française :

J. CHAUVEL

For the Federal Republic of  
Germany :

Pour la République Fédérale d'Alle-  
magne :

R. THIERFELDER

For the Italian Republic :

Pour la République Italienne :

P. QUARONI

For the Kingdom of the  
Netherlands :

Pour le Royaume des Pays-Bas :

A. BENTINCK

For Spain :

Pour l'Espagne :

For the United Kingdom of Great Britain  
and Northern Ireland :

Pour le Royaume-Uni de Grande-Bre-  
tagne et d'Irlande du Nord :

Peter THORNEYCROFT  
Edward HEATH

## ANNEX REFERRED TO IN ARTICLE 18 OF THE CONVENTION

## LIST OF FACILITIES CREATED BEFORE 1ST NOVEMBER, 1961

## I.—Australia

<i>Item</i>	<i>Remarks</i>
1. <i>Launching Area</i>	At Lake Hart (28 miles from Woomera).
1.1 <i>Launching site</i>	
(a) <i>Emplacement</i>	Minor modification required for new direction of launch.
(b) <i>Servicing tower</i>	To be heightened for the Organisation's launcher.
(c) <i>Causeway, test post and services rooms</i>	Minor modification required to adapt facilities to the Organisation's launcher.
(d) <i>Liquid oxygen (LOX) tank farm and pump house</i>	(Two 80-ton tanks with pumps and pipework). Minor modification required to adapt facilities to the Organisation's launcher.
(e) <i>Kerosene system</i>	Minor modification required to adapt facilities to the Organisation's launcher.
(f) <i>Gaseous nitrogen system</i>	Minor modification required to adapt facilities to the Organisation's launcher.
(g) <i>Firefighting system</i>	(300,000 gallons storage; delivery 4,000 gallons/minute max.). Minor modification required to adapt facilities to the Organisation's launcher.
(h) <i>Television and launching site cameras</i>	(6 T.V. and 4 launching site cameras). Minor modification required to adapt facilities to the Organisation's launcher.
(i) <i>Observation posts</i>	Complete (3 posts for direct observers).
(j) <i>Propellant dump system</i>	Complete.
(k) <i>Cabling (to equipment centre)</i>	Minor expenditure required to adapt facilities to the Organisation's launcher.
(l) <i>Telemetry and radar transponder monitoring equipment</i>	Equipment held but not installed; minor expenditure required to adapt facilities to the Organisation's launcher.

<i>Item</i>	<i>Remarks</i>
1.2 Common services area	At Lake Hart.
(a) Liquid nitrogen (LN) storage	(One 56-ton tank). Complete.
(b) Liquid nitrogen/gaseous nitrogen converter plant	(500 lb. per hour). Complete.
(c) Gaseous nitrogen storage	Complete (11 tons at 5,000 lb. per sq. inch).
(d) Kerosene storage and pumping	(Two 16,000-gallon tanks). Minor modification required to adapt facilities to the Organisation's requirements.
(e) Storage for ground handling equipment	Complete. Additional facilities may be required by the Organisation.
(f) Cabling	Complete.
1.3 Equipment centre	At Lake Hart. (Blockhouse 4,000 ft. from launcher).
(a) Control and recording wing	Does not include missile monitoring equipment, which would be supplied by others. Modification required to adapt existing facilities to the Organisation's launcher.
(b) North wing	Complete (offices, fire tender garage, ambulance garage, casualty room, guard room).
(c) South wing	Complete (store, workshop, toilets, etc.).
(d) East wing	Complete (kitchen and dining room for 150 persons).
(e) Cabling	Partially complete only. Modification required to adapt to the Organisation's launcher.
1.4 Support area	At Lake Hart.
W.R.E. site workshop	Temporary facility only. Additional facilities will be required to meet the Organisation's needs.

<i>Item</i>	<i>Remarks</i>
1.5 Area services	At Lake Hart.
(a) Power supplies	Complete.
(b) Access roads	Complete.
(c) Water supply	Complete.
(d) Communications	50% complete. (Inter-communication, launcher area to rangehead).
2. <i>Woomera Technical Area</i>	At Woomera.
2.1 De-greasing plant	Minor modification required.
2.2 Air separation plant	In production (Output 80 tons LOX/20 tons LN to 50 tons LOX/30 tons LN, per week).
(a) Building and plant	Minor modification required to adapt facility to the Organisation's requirements.
(b) Storage tanks	(Four 80 tons LOX ; one 56 tons LN). Complete.
2.3 Liquid oxygen and liquid nitrogen transport vehicles	(Three 16,000-gallon tankers ; 2 LOX, 1 LN). Complete.
3. <i>Range Equipment</i>	To be shared with other projects using Woomera range.
3.1 Instrumentation building	At rangehead.
(a) Range control	Existing.
(b) Sequencing and timing	Existing.
(c) Trajectory monitoring	Existing (for safety purposes). A further impact predictor may be required by the Organisation.
(d) Command destruct'	Existing.
(e) Telemetry	Existing.
3.2 Down range site	At Mirikata.
(a) Telemetry	Existing.



- |                 |           |
|-----------------|-----------|
| (b) FPS16 radar | Existing. |
| (c) Data links  | Existing. |
- 3.3 Down range site                      At Red Lake.
- |                 |           |
|-----------------|-----------|
| (a) FPS16 radar | Existing. |
| (b) Data links  | Existing. |
- 3.4 General
- |  |   |
|--|---|
| (a) Optical tracker and sky-screen sites | Safety requirement. Part existing but some modification required to adapt to the Organisation's launcher. |
| (b) General range instrumentation        | Existing facilities are available.  |
4. *Salisbury*                              Near Adelaide.
- 4.1 Contractor's buildings Nos. 44, 184, etc.
- 4.2 Facility for component cleaning and testing to LOX standards      Minor modification required to meet the Organisation's needs.

## II.—France

### 1. *Test facilities for liquid propulsion systems*

Several test stands will be available for use at the L.R.B.A., Vernon.

PF 1 : For chambers up to 25 tons thrust, 25 seconds duration.

PF 2 : For 35 tons thrust, 120 seconds duration or 60 tons thrust, about 10 seconds duration.

PF 4 : For 100 tons thrust, 120 seconds duration.

The PF 2 and PF 4 test stands can take complete launchers or stages.

Use of the test stands will include the use of various buildings supplying the stands, facilities for storing propellants, and facilities for taking measurements ;

test stands for gas generators.

test stands for engine accessories (valves, piping, etc.).

## 2. *Facilities for testing structures*

—Facilities for static test with simulation of kinetic heating (at E.A.T., Toulouse).

Only the most important facility is mentioned. Other smaller facilities exist and could be used if necessary.

—Plant and equipment for dynamic tests at O.N.E.R.A. (including sloshing).

## 3. *Aerodynamic and aerothermic test facilities*

Supersonic wind tunnels at Vernon, Modane and Saint Cyr.

Hypersonic reheat wind tunnels : 3 in service up to Mach 9 (O.N.E.R.A., Sud Aviation, I.M.F.M.).

Ballistic ranges. Two in service : Franco-German Institute, Saint Louis and L.R.B.A. Vernon (up to 1,500 metres per second).

## 4. *Equipment test facilities*

Analogue simulation facility, in particular at L.R.B.A., Vernon and at Sud Aviation, Cannes, capable of taking real components.

—Digital computer operating in real time, which can be coupled to the analogue simulation device.

—Facilities for testing equipments or components in noise, vibration and heat environments, etc.

The most complete facility is the one at Sud Aviation in Cannes. It includes among others the following important facilities :

—an AVCO reverberating chamber with a maximum sound level of 160 dB (volume of 6 cubic metres).

—an AVCO reverberating chamber of one cubic metre and a sound level of 170 to 180 dB.

—an MBC 210 vibration table (500 kg. at 20 g sinusoidal vibration).

—3 test boxes for physical environment tests, each with a capacity of 20 cubic metres.

*Note.* These facilities were either in existence or in course of preparation with official financial aid in France, in Government Establishments or at firms' works, on 1st November, 1961.

## III.—*United Kingdom*

### Spadeadam

#### 1. *Administration Area*

Main office block

Main workshops and laboratories and photographic waste treatment plant

Boiler house  
Equipment test laboratory (pressure testing valves, etc.)  
Transport garages, etc. (MT vehicles and cranes)  
Surgery  
Domestic water treatment plant  
Canteen and hostel

2. *LOX Area*

One 50-ton/day LOX plant  
Gaseous nitrogen compressor plant  
600-ton liquid oxygen storage  
Liquid nitrogen storage  
Water cooling towers  
LOX tankers

3. *Component Test Area*

2 gas generator test cells  
2 turbo pump test cells  
1 pump test cell  
1 Hp gaseous nitrogen pressure test cell  
High flow water test laboratory  
Effluent treatment facilities  
Control room and instrumentation and workshop  
Office building

4. *Engine Test Area*

1 single engine test stand (A3) with missile configuration battleship tanks  
  
1 double engine test stand (A2) with missile configuration battleship tanks  
  
1 double engine test stand (A1) modified for limited tests of launcher  
200-ton LOX storage and pumping system  
Control room and instrumentation  
Engine preparation workshop  
Effluent treatment system—lagoons, etc.  
Kerosene storage and pumping system  
Cooling water pump house, etc., and 1 million gallon reservoir  
  
Wooden office buildings

5. *Missile Test Area*

1 missile test stand (equipment rooms below)  
1 mobile servicing tower  
200-Ton LOX storage and pumping system  
Kerosene storage and pumping system

Control room and instrumentation  
Workshop  
Cooling water pump house, etc., and 1 million gallon reservoir

Effluent treatment system—lagoons, etc.  
Wooden office buildings

6. *Other Site Services*

25,000 KVA. electricity supplies—sub-station and switch house and distribution

2 million gallon main water reservoir  
River Irthing water intake pumps, etc.

*Note.* The above facilities were completed in the main by 1st November, 1961. After that date, further work of a miscellaneous nature and final work on the missile test stand and servicing tower has continued. The canteen and hostel are interim buildings.

## ANNEX REFERRED TO IN ARTICLE 19 OF THE CONVENTION

### DEFINITIONS

1. *Space Vehicle.* A vehicle designed to be placed in orbit as a satellite of the earth or of another heavenly body, or to be caused to traverse some other path in space.

2. *Space Vehicle Launcher.* A rocket, usually comprising two or more associated stages, which carries a space vehicle to the altitude required for entry into a chosen orbit and gives the vehicle the speed necessary for that orbit, in the appropriate direction, or similarly sets the vehicle upon some other path in space.

3. *Programme.* The sum of the research, design, experimental, manufacturing and administrative work of the Organisation undertaken in order to develop a space vehicle launcher.

4. *Facilities.* Equipment, buildings and installations on the ground, here associated with a space vehicle launcher, or space vehicle, for research, design, experiment, manufacture, servicing, filling, test, launch, guidance or observation.

5. *Firing.* Launching trials of one or more stages or of the complete launcher.

6. *Satellite Test Vehicle.* A satellite designed for the primary purpose of establishing the ability of the launcher to inject a satellite into orbit in a satisfactory fashion. It would be used to study the environmental conditions affecting the satellite during the powered flight of a launcher, the problems of separation of the satellite from the final stage, and the residual motion imparted to the satellite by separation.

FINANCIAL PROTOCOL ANNEXED TO THE CONVENTION FOR THE ESTABLISHMENT OF A EUROPEAN ORGANISATION FOR THE DEVELOPMENT AND CONSTRUCTION OF SPACE VEHICLE LAUNCHERS

The States parties to the Convention for the Establishment of a European Organisation for the Development and Construction of Space Vehicle Launchers (hereinafter referred to as "the Convention");

Desiring to make provision for the financial administration of the said Organisation ;  
Have agreed as follows :

*Article 1*

BUDGET

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

(2) The Secretary-General shall not later than the first of September 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 Secretary-General.

(4) The preparation and implementation of the budget shall be in accordance with the Financial Rules referred to in Article 3 of this Protocol.

(5) The cost of carrying out the study referred to in Article 16 (3) of the Convention is assessed at £2 million. Commitments may accordingly be incurred on the study, up to this limit, out of the budget for the initial programme.

*Article 2*

SUPPLEMENTARY BUDGET

(1) The Council may require the Secretary-General to present a supplementary or revised budget if circumstances make it necessary.

(2) No resolution involving additional expenditure shall be deemed to be approved by the Council until it has approved an estimate submitted by the Secretary-General of the additional expenditure involved and has been satisfied that the necessary provision has been or will be made in the budget.

*Article 3*

FINANCE COMMITTEE

A Finance Committee composed of representatives of all Member States shall be set up by the Council. The functions of the Finance Committee shall be laid down in Financial Rules to be approved by the Council. The Secretary-General shall submit the budget estimates to this Committee for examination, after which they shall be transmitted to the

Council with the Committee's report thereon. The Financial Rules shall contain all provisions required for the effective financial administration of the Organisation.

*Article 4*

CONTRIBUTIONS

(1) For the financial period ending on 31st December, 1962, the Council shall make, in accordance with the procedure laid down in Article 3, provisional budgetary arrangements which shall include provision to meet the costs incurred on and after 1st November, 1961, of work relating to the development of the space vehicle launcher under the initial programme of the Organisation. Expenditure approved as provided in these provisions shall be met by contributions as provided for in paragraph 1 of the Annex<sup>1</sup> to this Protocol.

(2) For the ensuing financial years during the period of the initial programme of the Organisation, 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, subject to the provisions of paragraph 1 (c) of the said Annex.

(3) A revised scale of contributions in respect of expenditure on the further programmes of the Organisation shall be recommended by the Council for acceptance by all Member States.

(4) When any State becomes a Member of the Organisation after 31st December, 1962, the contributions of Member States shall be re-assessed by the Council on the following basis. Any excess income from contributions shall be applied first to reducing the contributions of Member States which have been increased in the light of paragraph 1 (c) of the Annex to this Protocol. Any remaining excess shall be applied to the reduction of the contributions of all Member States. Such rebate shall be assessed in the same proportions as the percentage figures set out in paragraph 2 of the Annex to this Protocol. The new scale shall take effect as from the beginning of the current financial year.

(5) The commitments undertaken by Member States are calculated on the basis of an estimate of £70 million. This estimate includes substantial contingency allowances. Should it appear that, in spite of this, the estimate is liable to be exceeded, the Member States will consult with one another on the decisions to be taken.

*Article 5*

PAYMENT OF CONTRIBUTIONS

(1) (a) The Finance Committee shall, in consultation with the Secretary General, determine the terms on which payments in respect of contributions shall be made consistently with the proper financing of the Organisation.

(b) The Secretary-General shall thereafter notify Member States of the amount of their contributions, and shall call for payments in respect of such contributions *pari passu* from all Member States as may be required to meet the needs of the Organisation within the limits of the annual budget.

<sup>1</sup> See p. 238 of this volume.

(2) The budget of the Organisation shall be expressed in terms of a unit of account of 0.88867088 grammes of fine gold.

(3) (a) Each Member State shall make payments in respect of its contributions in its own currency, but shall, at the request of the Secretary-General, provide facilities for transferring the whole or part of any such payments into any other currency, if such transfers are in accordance with the aims of the Organisation. In case such transfers are envisaged, the Secretary General shall previously inform the monetary authorities of the Member States in question.

(b) The Secretary-General shall limit to the fullest possible extent such transfers between currencies.

#### *Article 6*

##### WORKING CAPITAL FUND

On the recommendation of the Finance Committee, the Council may establish a Working Capital Fund. Any Working Capital Fund shall be administered in accordance with the Financial Rules referred to in Article 3 of this Protocol.

#### *Article 7*

##### ACCOUNTS AND AUDITING

(1) The Secretary-General shall arrange for an accurate account of all receipts and disbursements to be kept in accordance with the Financial Rules referred to in Article 3 of this Protocol.

(2) The Council shall appoint three auditors who shall be senior officials of the Member States and who shall serve for three years in the first instance and may be reappointed. The auditors shall examine the accounts of the Organisation, particularly in order to certify that the expenditure has conformed, within the limits specified in the Financial Rules referred to in Article 3, to the provisions made in the budget ; they shall report on the efficiency and the economy of the operations of the Organisation, but not including general policy matters ; they may comment upon financial procedure, the accounting system, internal financial control and the financial consequences of administrative procedure ; and they shall discharge such other functions as are set out in the said Financial Rules.

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

IN WITNESS WHEREOF the undersigned plenipotentiaries, duly authorised thereto, have signed this Protocol.

DONE at London this 29th day of March, 1962, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, who shall transmit a certified true copy to each signatory and acceding State.

For the Commonwealth of Australia :

Pour le Commonwealth d'Australie :

E. J. HARRISON

For the Kingdom of Belgium :

Pour le Royaume de Belgique :

J. DE THIER

For the Kingdom of Denmark :

Pour le Royaume de Danemark :

For the French Republic :

Pour la République Française :

J. CHAUVEL

For the Federal Republic of Germany :

Pour la République Fédérale d'Allemagne :

R. THIERFELDER



For the Italian Republic :

Pour la République Italienne :

P. QUARONI

For the Kingdom of the Netherlands :

Pour le Royaume des Pays-Bas :

A. BENTINCK

For Spain :

Pour l'Espagne :

For the United Kingdom of Great Britain  
and Northern Ireland :

Pour le Royaume-Uni de Grande-Bretagne  
et d'Irlande du Nord :

Peter THORNEYCROFT

Edward HEATH

## ANNEX REFERRED TO IN ARTICLE 4 OF THE FINANCIAL PROTOCOL

1. *Contributions for the period ending on 31st December, 1962*

(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 Organisation during the period ending on 31st December, 1962, 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 of the Financial Protocol.

(b) The contributions of the States which are Members of the Organisation when the Council first makes such provisional budgetary arrangements shall be provisionally assessed on the basis set out in paragraph 2 of this Annex.

(c) In the event of any of the countries listed in paragraph 2 of this Annex not being Members of the Organisation, the Governments of the French Republic, the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland shall negotiate how the shortfall in contributions shall be met.

(d) The contributions of the States which become Members of the Organisation during the period between the first occasion on which provisional budgetary arrangements have been made and 31st December, 1962, 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, subject to the provisions of paragraph 1 (c) of this Annex. Such contributions will serve either, as provided for in sub-paragraph (e) 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.

(e) The final contributions due for the period ending on 31st December, 1962, from all the States which are Members of the Organisation 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 that Member State.

(f) If all the States specified in the scale set out in paragraph 2 of this Annex have become Members of the Organisation before 31st December, 1962, their percentage contributions to the total budget for that period shall be those set out in that scale.

2. Scale to serve as a basis for the assessment of contributions during the period of the initial programme of the Organisation

	Percentage		Percentage
Australia . . . . .	*	Netherlands . . . . .	2·64
Austria . . . . .	1·32	Norway . . . . .	1·11
Belgium . . . . .	2·85	Spain . . . . .	2·95
Denmark . . . . .	1·37	Sweden . . . . .	2·90
France . . . . .	20·57	Switzerland . . . . .	2·26
Federal Republic of Germany . .	18·92	United Kingdom . . . . .	33·33
Italy . . . . .	9·78		
		TOTAL	100·00

PROTOCOL CONCERNING CERTAIN RESPONSIBILITIES  
IN CONNECTION WITH THE INITIAL PROGRAMME

The States parties to the Convention for the Establishment of a European Organisation for the Development and Construction of Space Vehicle Launchers (hereinafter referred to as "the Convention") ;

Have agreed as follows :

(1) The design, development and construction of the third stage of the launcher system to be developed in accordance with Article 16 of the Convention shall be carried out under the leadership of the authorities and organisations of the Federal Republic of Germany.

(2) The design, development and construction of the first series of satellite test vehicles, including the electronic equipment contained therein, to be developed in accordance with Article 16 of the Convention shall be carried out under the leadership of the authorities and organisations of the Italian Republic.

(3) The design, development and construction of the equipment for the down range ground guidance stations to be developed in accordance with Article 16 of the Convention shall be carried out under the leadership of the authorities and organisations of the Kingdom of Belgium.

(4) The design, development and construction of the long-range telemetry links including associated ground equipment to be developed in accordance with Article 16 of the Convention shall be carried out under the leadership of the authorities and organisations of the Kingdom of the Netherlands.

\* Note : The Australian contribution is the making available of appropriate range and supporting facilities and technical co-operation based on scientific experience in conducting trials and assessments, all of which is made possible by the development of the entire facility and Australia's substantial expenditure thereon.

IN WITNESS WHEREOF the undersigned plenipotentiaries, duly authorised thereto, have signed this Protocol.

DONE at London this 29th day of March, 1962, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, who shall transmit a certified true copy to each signatory and acceding State.

For the Commonwealth of Australia :                      Pour le Commonwealth d'Australie :

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