

No. 12735

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## MULTILATERAL

**Convention for European Economic Co-operation (with annex and Supplementary Protocol No. I, on the legal capacity, privileges and immunities of the Organisation, and Supplementary Protocol No. II, on the financial regulations of the Organisation). Done at Paris on 16 April 1948**

**Protocol on the revision of the Convention for European Economic Co-operation of 16 April 1948. Done at Paris on 14 December 1960**

*Authentic texts: French and English.*

*Registered by France on 1 September 1973.*

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## MULTILATÉRAL

**Convention de coopération économique européenne (avec annexe et Protocole additionnel n° I sur la capacité juridique, les privilèges et les immunités de l'Organisation européenne de coopération économique, et Protocole additionnel n° II sur le régime financier de l'Organisation). Conclue à Paris le 16 avril 1948**

**Protocole relatif à la révision de la Convention de coopération économique européenne du 16 avril 1948. Conclu à Paris le 14 décembre 1960**

*Textes authentiques : français et anglais.*

*Enregistrés par la France le 1<sup>er</sup> septembre 1973.*

## CONVENTION<sup>1</sup> FOR EUROPEAN ECONOMIC CO-OPERATION

The Governments of Austria, Belgium, Denmark, France, Greece, Ireland, Iceland, Italy, Luxembourg, Norway, the Netherlands, Portugal, the United Kingdom, Sweden, Switzerland and Turkey, and the Commanders-in-Chief of the French, United Kingdom and United States Zones of Occupation of Germany:

Considering that a strong and prosperous European economy is essential for the attainment of the purposes of the United Nations, the preservation of individual liberty and the increase of general well-being, and that it will contribute to the maintenance of peace;

Recognising that their economic systems are inter-related and that the prosperity of each of them depends on the prosperity of all;

Believing that only by close and lasting co-operation between the Contracting Parties can the prosperity of Europe be restored and maintained, and the ravages of war made good;

Resolved to implement the principles and to achieve the aims set forth in the General Report of the Committee of European Economic Co-operation, particularly the

<sup>1</sup> Put into operation, on a provisional basis, in accordance with article 24 (b), from 16 April 1948, the date of signature, for all signatories, namely:

Austria	Luxembourg
Belgium	Netherlands
Denmark	Norway
France	Portugal
French Zone of Occupation of Germany	Sweden
Greece	Switzerland
Iceland	Turkey
Ireland	United Kingdom of Great Britain and Northern Ireland
Italy	United Kingdom and United States Zones of Occupation of Germany

Came into force on 28 July 1948 for the following States or entities, i.e. upon the deposit of six instruments of ratification with the Government of France, in accordance with article 24 (a):

<i>State or entity</i>	<i>Date of deposit of the instrument of ratification</i>	<i>State or entity</i>	<i>Date of deposit of the instrument of ratification</i>
United Kingdom of Great Britain and Northern Ireland	10 June 1948	Austria	28 July 1948
United Kingdom and United States Zones of Occupation of Germany	15 June 1948	France	28 July 1948
Ireland	16 July 1948	Iceland	28 July 1948
		Sweden	28 July 1948

Subsequently, the Convention came into force for the following States or entities on the dates indicated, corresponding in each case to the deposit of the instrument of ratification, or to the accession (effected with the assent of the Council of the Organisation for European Economic Co-operation), in accordance with articles 24 and 25:

<i>State or entity</i>	<i>Date of the deposit of the instrument of ratification, or date of the accession (a)</i>	<i>State or entity</i>	<i>Date of the deposit of the instrument of ratification, or date of the accession (a)</i>
Belgium	4 September 1948	Italy	24 August 1948
British-United States Zone of the Free Territory of Trieste	14 September 1948 (a)	Luxembourg	14 April 1949
Denmark	24 August 1948	Norway	24 August 1948
French Zone of Occupation of Germany	29 July 1948	Netherlands	25 August 1948
Greece	20 October 1949	Portugal	4 April 1949
		Switzerland	26 November 1948
		Turkey	27 October 1948

speedy establishment of sound economic conditions enabling the Contracting Parties as soon as possible to achieve and maintain a satisfactory level of economic activity without extraordinary outside assistance, and to make their full contribution to world economic stability:

Determined to combine their economic strength to those ends, to join together to make the fullest collective use of their individual capacities and potentialities, to increase their production, develop and modernise their industrial and agricultural equipment, expand their commerce, reduce progressively barriers to trade among themselves, promote full employment and restore or maintain the stability of their economies and general confidence in their national currencies;

Taking note of the generous resolve of the American people expressed in the action taken to furnish the assistance without which the aims set forth above cannot be fully achieved;

Resolved to create the conditions and establish the institutions necessary for the success of European economic co-operation and for the effective use of American aid, and to conclude a Convention to this end;

Have accordingly appointed the undersigned Plenipotentiaries who, having presented their full powers, found in good and due form, have agreed on the following provisions:

#### *Article 1*

The Contracting Parties agree to work in close co-operation in their economic relations with one another.

As their immediate task, they will undertake the elaboration and execution of a joint recovery programme. The object of this programme will be to achieve as soon as possible and maintain a satisfactory level of economic activity without extraordinary outside assistance, and to this end the programme will take special account of the need of the Contracting Parties to develop their exports to non-participating countries to the maximum extent possible.

Accordingly the Contracting Parties pledge themselves to carry out, by their efforts of self help and in a spirit of mutual aid, the following General Obligations, and hereby set up an Organisation for European Economic Co-operation, hereinafter referred to as the Organisation.

### PART I. GENERAL OBLIGATIONS

#### *Article 2*

The Contracting Parties will, both individually and collectively, promote with vigour the development of production, through efficient use of the resources at their command, whether in their metropolitan or overseas territories, and by the progressive modernisation of equipment and techniques, in such manner as may best assist the accomplishment of the joint recovery programme.

#### *Article 3*

The Contracting Parties will, within the framework of the Organisation, and as often and to such extent as may be necessary, draw up general programmes for the production and exchange of commodities and services. In so doing they will take into consideration their several estimates or programmes and general world economic conditions.

Each Contracting Party will use its best endeavours to secure the fulfilment of such general programmes.

*Article 4*

The Contracting Parties will develop, in mutual co-operation, the maximum possible interchange of goods and services. To this end they will continue the efforts already initiated to achieve as soon as possible a multilateral system of payments among themselves, and will co-operate in relaxing restrictions on trade and payments between one another, with the object of abolishing as soon as possible those restrictions which at present hamper such trade and payments.

In the application of this Article, the Contracting Parties will take due account of the necessity that they should, collectively and individually, correct or avoid excessive disequilibrium in their financial and economic relations, both amongst themselves and with non-participating countries.

*Article 5*

The Contracting Parties agree to strengthen their economic links by all methods which they may determine will further the objectives of the present Convention. They will continue the study of Customs Unions or analagous arrangements such as free trade areas, the formation of which might constitute one of the methods of achieving these objectives. Those Contracting Parties which have already agreed in principle to the creation of Customs Unions will further the establishment of such Unions as rapidly as conditions permit.

*Article 6*

The Contracting Parties will co-operate with one another and with other like-minded countries in reducing tariff and other barriers to the expansion of trade, with a view to achieving a sound and balanced multilateral trading system such as will accord with the principles of the Havana Charter.<sup>1</sup>

*Article 7*

Each Contracting Party will, having due regard to the need for a high and stable level of trade and employment and for avoiding or countering the dangers of inflation, take such steps as lie within its power to achieve or maintain the stability of its currency and of its internal financial position, sound rates of exchange and, generally, confidence in its monetary system.

*Article 8*

The Contracting Parties will make the fullest and most effective use of their available manpower.

They will endeavour to provide full employment for their own people and they may have recourse to manpower available in the territory of any other Contracting Party. In the latter case they will, in mutual agreement, take the necessary measures to facilitate the movement of workers and to ensure their establishment in conditions satisfactory from the economic and social point of view.

<sup>1</sup> *United Nations Conference on Trade and Employment, Final Act and Related Documents* (United Nations publication, Sales No.: 1948.II.D.4.)

Generally, the Contracting Parties will co-operate in the progressive reduction of obstacles to the free movement of persons.

*Article 9*

The Contracting Parties will furnish the Organisation with all the information it may request of them in order to facilitate the accomplishment of its tasks.

PART II. THE ORGANISATION

*Article 10*

MEMBERSHIP

The Members of the Organisation shall be the Parties to the present Convention.

*Article 11*

AIM

The aim of the Organisation shall be the achievement of a sound European economy through the economic co-operation of its Members. An immediate task of the Organisation will be to ensure the success of the European recovery programme, in accordance with the undertakings contained in part I of the present Convention.

*Article 12*

FUNCTIONS

Within the limits of such powers as are of may be agreed for the Organisation, its functions shall be:

- (a) to prepare and implement, within the sphere of the collective action of the Members concerned, the measures necessary to achieve the aim laid down in article 11 and to facilitate, promote and co-ordinate the individual action of the Member;
- (b) to facilitate and review the implementation of the present Convention; to take such action as may be found appropriate in order to ensure its execution; and to this end, to provide for systems of observation and review adequate to ensure the efficient use both of external aid and of indigenous resources;
- (c) to provide the United States Government with such assistance and information as may be agreed in relation to the execution of the European recovery programme and to address recommendations to that Government;
- (d) at the request of the interested parties, to assist in the negotiation of such international agreements as may be necessary for the better execution of the European recovery programme.

The Organisation may also assume such other functions as may be agreed.

*Article 13*

POWERS

In order to achieve its aim as set out in article 11 the Organisation may:

- (a) take decisions for implementation by Members;
- (b) enter into agreements with its Members, non-member countries, the United States Government and International Organisations;

(c) make recommendations to the United States Government, to other Governments and to International Organisations.

*Article 14*

DECISIONS

Unless the Organisation otherwise agrees for special cases, decisions shall be taken by mutual agreement of all the Members. The abstention of any Members declaring themselves not to be interested in the subject under discussion shall not invalidate decisions, which shall be binding for the other Members.

*Article 15*

THE COUNCIL

(a) A Council composed of all the Members shall be the body from which all decisions derive.

(b) The Council shall designate annually from among the Members a Chairman and two Vice-Chairmen.

(c) The Council shall be assisted by an Executive Committee and a Secretary-General. The Council may set up such technical committees or other bodies, as may be required for the performance of the functions of the Organisation. All such organs shall be responsible to the Council.

*Article 16*

THE EXECUTIVE COMMITTEE

(a) The Executive Committee shall consist of seven Members to be designated annually by the Council. It shall carry on its work in accordance with the general and specific instructions of the Council and shall report on it to the Council.

(b) The Council shall designate annually from among the Members of the Executive Committee a Chairman and a Vice-Chairman. It may also designate annually a Rapporteur-General and specify his functions.

(c) Any Member of the Organisation not represented on the Executive Committee may take part in all the discussions and decisions of that Committee on any item specially affecting the interests of that Member.

The Members of the Organisation shall be informed of the proceedings of the Executive Committee by the circulation in good time of agenda and summary records.

*Article 17*

THE SECRETARY-GENERAL

(a) The Secretary-General shall be assisted by a first and a second Deputy Secretary-General.

(b) The Secretary-General and the Deputy Secretaries-General shall be appointed by the Council. The Secretary-General shall be under the instructions of the Council.

(c) The Secretary-General shall attend or be represented at the meetings of the Council, the Executive Committee and, as required, at meetings of the technical committees and the other bodies, with the right to participate in discussion. He will

prepare the meetings of the Council and of the Executive Committee and will ensure the execution of their decisions in accordance with the general and specific instructions of the Council and the Executive Committee.

Additional provisions as to the functions of the Secretary-General are set out in the annex to the present Convention.

#### *Article 18*

##### SECRETARIAT

(a) The Secretary-General shall appoint such staff as the Organisation may require. Senior staff appointments and the staff regulations shall be subject to approval by the Council.

(b) Having regard to the international character of the Organisation, the Secretary-General and the staff shall neither seek nor receive instructions from any of the Members or from any government or authority external to the Organisation.

#### *Article 19*

##### TECHNICAL COMMITTEES AND OTHER BODIES

Technical committees and other bodies set up under article 15 (c) shall be under the instructions of the Council. They shall be composed of the Members most concerned and will so organise their work that other interested Members may take part as may be necessary.

#### *Article 20*

##### RELATIONSHIPS WITH OTHER INTERNATIONAL ORGANISATIONS

(a) The Organisation shall establish such formal or informal relationships with the United Nations, its principal organs and subsidiary bodies and with the Specialised Agencies, as may best facilitate collaboration in the achievement of their respective aims.

(b) The Organisation may also maintain relationships with other international bodies.

#### *Article 21*

##### HEADQUARTERS

The Headquarters of the Organisation shall be determined by the Council at its first session. The Council, the several committees or the other bodies may meet elsewhere than at the Headquarters of the Organisation, should they so decide.

#### *Article 22*

##### LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES

(a) The Organisation shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, as defined in Supplementary Protocol No. I to the present Convention.

(b) The Organisation, its officials, and representatives of the Members of the Organisation shall be entitled to the privileges and immunities set out in the above mentioned Supplementary Protocol.

*Article 23*

## FINANCIAL REGULATIONS

(a) The Secretary-General shall present to the Council for approval an annual budget and accounts drawn up in accordance with the Financial Regulations set out in Supplementary Protocol No. II to the present Convention.

(b) The financial year of the Organisation shall begin on the 1st July.

(c) The expenses of the Organisation shall be borne by Members and shall be apportioned in accordance with the provisions of the above mentioned Supplementary Protocol.

## PART III. FINAL CLAUSES

*Article 24*

## RATIFICATION AND COMING INTO FORCE

(a) The present Convention shall be ratified. Instruments of ratification shall be deposited with the Government of the French Republic. The Convention shall come into force upon the deposit of instruments of ratification by not less than six of the signatories. For each signatory ratifying thereafter, the Convention shall come into force upon the deposit of its instrument of ratification.

(b) Nevertheless, pending the coming into force of the Convention in the manner provided by the preceding paragraph, the signatories agree, in order to avoid delay in its execution, to put it into operation on signature on a provisional basis and in accordance with their several constitutional requirements.

*Article 25*

## ACCESSION

At any time after not less than ten instruments of ratification of the present Convention have been deposited, any non-signatory European country may accede to it by notification addressed to the Government of the French Republic, and with the assent of the Council of the Organisation. Accessions shall take effect on the date of such assent.

*Article 26*

## NON-FULFILMENT OF OBLIGATIONS

If any Member of the Organisation ceases to fulfil its obligations under the present Convention, it shall be invited to conform to the provisions of the Convention. If the said Member should not so conform within the period indicated in the invitation the other Members may decide, by mutual agreement, to continue their co-operation within the Organisation without that Member.

*Article 27*

## WITHDRAWAL

Any of the Contracting Parties may terminate the application of the present Convention to itself by giving twelve months' notice to that effect to the Government of the French Republic.



*Article 28*

## COMMUNICATION OF RATIFICATIONS, ACCESSIONS AND WITHDRAWALS

Upon the receipt of any instrument of ratification or accession, or of any notice of withdrawal, the Government of the French Republic shall give notice thereof to all the Contracting Parties and to the Secretary-General of the Organisation.

## A N N E X

## ADDITIONAL PROVISIONS CONCERNING THE FUNCTIONS OF THE SECRETARY-GENERAL

Provisions concerning the functions of the Secretary-General additional to those specified in Article 17 are set out below:

- (1) He may submit proposals to the Council and to the Executive Committee;
- (2) He shall provide, in agreement with the Chairmen of the technical committees, for these committees to be convened as required and for the necessary secretarial arrangements. He shall transmit to them, as necessary, the instructions of the Council and of the Executive Committee;
- (3) He shall follow the work of the other bodies referred to in article 15 (c) and transmit to them, as necessary, the instructions of the Council and of the Executive Committee;
- (4) He shall, having regard to the provisions of article 20 and in accordance with the instructions of the Council and the Executive Committee, make the necessary arrangements for liaison with other International Organisations;
- (5) He shall exercise all such other functions necessary for the efficient administration of the Organisation as may be entrusted to him by the Council or by the Executive Committee.

IN FAITH WHEREOF the undersigned plenipotentiaries, being duly authorised to that effect, have signed the present Convention and have affixed thereto their seals.

DONE in Paris this sixteenth day of April Nineteen Hundred and Forty Eight, in the English and French languages, both texts being equally authentic, in a single copy which shall remain deposited in the Archives of the Government of the French Republic, by which certified copies will be communicated to all the other signatories.

Pour l'Autriche :

For Austria:

[*Signé — Signed*]

KARL GRÜBER

Pour la Belgique :

For Belgium:

[*Signé — Signed*]

VAN DER STRATEN

Pour le Danemark :

For Denmark:

[*Signé — Signed*]

GUSTAV RASMUSSEN

Pour la France :

For France:

[*Signé — Signed*]

G. BIDAULT

Pour la Grèce :

For Greece:

[*Signé — Signed*]

C. TSALDARIS

Pour l'Irlande :

For Ireland:

[*Signé — Signed*]

SEAN MC BRIDE

Pour l'Islande :

For Iceland:

[*Signé — Signed*]

PETUR BENEDIKTSSON

Pour l'Italie :

For Italy:

[*Signé — Signed*]

SFORZA

Pour le Luxembourg :

For Luxembourg:

[*Signé — Signed*]

JOSEPH BECH

Pour la Norvège :  
For Norway:

[*Signé — Signed*]  
GUNDERSEN

Pour les Pays-Bas :  
For the Netherlands:

[*Signé — Signed*]  
VAN BOETZELAER

Pour le Portugal :  
For Portugal:

[*Signé — Signed*]  
MARCELLO MATHIAS

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
For the United Kingdom of Great Britain and Northern Ireland:

[*Signé — Signed*]  
ERNEST BEVIN

Pour la Suède :  
For Sweden:

[*Signé — Signed*]  
KARIN KOCK

Pour la Suisse :  
For Switzerland:

[*Signé — Signed*]  
C. J. BURCKHARDT

Pour la Turquie :  
For Turkey:

[*Signé — Signed*]  
N. MENEMENCIOGLU

Pour la Zone française d'occupation en Allemagne :  
For the French Zone of Occupation of Germany:

[*Signé — Signed*]  
P. KOENIG

Pour les Zones d'occupation en Allemagne du Royaume-Uni et des Etats-Unis  
d'Amérique :

For the United Kingdom and United States Zones of Occupation of Germany:

[*Signé — Signed*]  
BRIAN H. ROBERTSON

SUPPLEMENTARY PROTOCOL No. I TO THE CONVENTION FOR EUROPEAN ECONOMIC CO-OPERATION ON THE LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES OF THE ORGANISATION

The Governments and Authorities signatories to the Convention for European Economic Co-operation:

Considering that according to the provisions of article 22 of the Convention, the Organisation for European Economic Co-operation shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, and that the Organisation, its officials, and representatives of the Members of the Organisation shall be entitled to the privileges and immunities set out in a Supplementary Protocol:

Have agreed on the following provisions:

*Part I. PERSONALITY, CAPACITY*

*Article 1.* The Organisation shall possess juridical personality. It shall have the capacity to conclude contracts to acquire and dispose of movable and immovable property and to institute legal proceedings.

*Part II. PROPERTY, FUNDS AND ASSETS*

*Article 2.* The Organisation, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

*Article 3.* The premises of the Organisation shall be inviolable. The property and assets of the Organisation, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

*Article 4.* The archives of the Organisation, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

*Article 5.* Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) The Organisation may hold currency of any kind and operate accounts in any currency;
- (b) The Organisation may freely transfer its funds from one country to another or within any country and convert any currency held by it into any other currency.

*Article 6.* The Organisation, its assets, income and other property shall be:

- (a) exempt from all direct taxes: it is understood, however, that the Organisation will not claim exemption from rates and taxes which are in fact no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Organisation for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

*Article 7.* While the Organisation will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the Organisation is making important purchases for official use of

property on which such duties and taxes have been charged or are chargeable. Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

*Part III. FACILITIES IN RESPECT OF COMMUNICATIONS*

*Article 8.* The Organisation shall enjoy in the territory of each Member, for its official communications, treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the Organisation.

*Part IV. THE REPRESENTATIVES OF MEMBERS*

*Article 9.* Representatives of Members to the principal and subsidiary organs of the Organisation shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the privileges, immunities and facilities normally enjoyed by diplomatic envoys of comparable rank.

*Article 10.* Privileges, immunities and facilities are accorded to the representatives of Members not for the personal benefit of the individuals concerned, but in order to safeguard the independent exercise of their functions in connexion with the Organisation. Consequently, a Member has not only the right but the duty to waive the immunity of its representative in any case where, in the opinion of the Member, the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

*Article 11.* The provisions of article 9 are not applicable as between a representative and the authorities of the state of which he is a national or of which he is or has been the representative.

*Article 12.* In this part IV the expression « representatives » shall be deemed to include all delegates, alternates, advisers, technical experts and secretaries of delegations.

*Part V. OFFICIALS*

*Article 13.* The Secretary-General will specify the categories of officials to which the provisions of this part V shall apply. He shall submit a list of these categories to the Council. Thereafter this list shall be communicated to all Members. The names of the officials included in these categories shall from time to time be made known to Members.

*Article 14.* Officials of the Organisation shall:

- (a) be immune from legal process in respect of things done by them in their official capacity; they shall continue to be so immune after completion of their functions as officials of the Organisation;
- (b) enjoy the same exemption from taxation in respect of the salaries and emoluments paid to them as is enjoyed by officials of the principal International Organisations and on the same conditions;
- (c) be immune, together with their spouses and dependent relatives, from immigration restrictions and alien registration;
- (d) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable rank forming a part of diplomatic missions;

- (e) be given, together with their spouses and dependent relatives, the same repatriation facilities in time of international crisis as members of diplomatic missions;
- (f) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

*Article 15.* In addition to the privileges, immunities, exemptions and facilities specified in article 14, the Secretary-General shall be accorded in respect of himself, his spouse and children under the age of 21, the privileges, immunities, exemptions and facilities accorded to heads of diplomatic missions in conformity with international law.

The Deputy Secretaries-General shall enjoy the privileges, immunities, exemptions and facilities accorded to diplomatic representatives of comparable rank.

*Article 16.* Privileges, immunities and facilities are granted to officials in the interests of the Organisation and not for the personal benefit of the individuals concerned. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organisation. In the case of the Secretary-General and the Deputy Secretaries-General, the Council shall have the right to waive immunity.

*Article 17.* The Organisation shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse connected with the privileges, immunities, exemptions and facilities mentioned in this part V.

#### *Part VI.* EXPERTS ON MISSIONS FOR THE ORGANISATION

*Article 18.* Experts (other than officials coming within the scope of part V) performing missions for the Organisation shall be accorded such privileges, immunities and facilities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connexion with their missions. In particular they shall be accorded:

- (a) immunity from personal arrest or detention and from seizure of their baggage;
- (b) in respect of things done by them in the course of the performance of their mission, immunity from legal process of every kind;
- (c) inviolability for all papers and documents.

*Article 19.* Privileges, immunities and facilities are granted to experts in the interests of the Organisation and not for the personal benefit of the individuals concerned. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organisation.

#### *Part VII.* SUPPLEMENTARY AGREEMENTS

*Article 20.* The Organisation may conclude with any Member or Members supplementary agreements adjusting the provisions of the present Protocol so far as that Member or those Members are concerned.

IN FAITH WHEREOF the undersigned Plenipotentiaries, being duly authorised to that effect, have signed the present Protocol.

DONE in Paris this sixteenth day of April Nineteen Hundred and Forty Eight, in the English and French languages, both texts being equally authentic, in a single copy which shall remain deposited in the Archives of the Government of the French Republic, by which certified copies will be communicated to all the other signatories.

Pour l'Autriche :

For Austria:

[*Signé — Signed*]

KARL GRÜBER

Pour la Belgique :

For Belgium:

[*Signé — Signed*]

VAN DER STRATEN

Pour le Danemark :

For Denmark:

[*Signé — Signed*]

GUSTAV RASMUSSEN

Pour la France :

For France:

[*Signé — Signed*]

G. BIDAULT

Pour la Grèce :

For Greece:

[*Signé — Signed*]

C. TSALDARIS

Pour l'Irlande :

For Ireland:

[*Signé — Signed*]

SEAN MC BRIDE

Pour l'Islande :

For Iceland:

[*Signé — Signed*]

PETUR BENEDIKTSSON

Pour l'Italie :

For Italy:

[*Signé — Signed*]

SFORZA

Pour le Luxembourg:

For Luxembourg:

[*Signé — Signed*]

JOSEPH BECH

Pour la Norvège :  
For Norway:

[*Signé — Signed*]  
GUNDERSEN

Pour les Pays-Bas :  
For the Netherlands:

[*Signé — Signed*]  
VAN BOETZELAER

Pour le Portugal :  
For Portugal:

[*Signé — Signed*]  
MARCELLO MATHIAS

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
For the United Kingdom of Great Britain and Northern Ireland:

[*Signé — Signed*]  
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Pour la Suède :  
For Sweden:

[*Signé — Signed*]  
KARIN KOCK

Pour la Suisse :  
For Switzerland:

[*Signé — Signed*]  
C. J. BURCKHARDT

Pour la Turquie :  
For Turkey:

[*Signé — Signed*]  
N. MENEMENCIOGLU

Pour la Zone française d'occupation en Allemagne :  
For the French Zone of Occupation of Germany:

[*Signé — Signed*]  
P. KOENIG

Pour les Zones d'occupation en Allemagne du Royaume-Uni et des Etats-Unis d'Amérique :  
For the United Kingdom and United States Zones of Occupation of Germany:

[*Signé — Signed*]  
BRIAN H. ROBERTSON



SUPPLEMENTARY PROTOCOL No. II TO THE CONVENTION FOR EUROPEAN ECONOMIC CO-OPERATION ON THE FINANCIAL REGULATIONS OF THE ORGANISATION

The Governments and Authorities signatories to the Convention for European Economic Co-operation,

Considering that article 23 of the Convention provides that a Supplementary Protocol on Financial Regulations of the Organisation for European Economic Co-operation shall be drawn up,  
Have agreed on the following provisions:

*Article 1. BUDGET*

The Secretary-General shall not later than May 1st in each year submit to the Council for consideration and approval detailed estimates of expenditure for the following financial year.

Estimates of expenditure shall be divided under general headings. Transfers within the budget shall not be permitted except by authority of the Executive Committee. The exact form of estimates shall be determined by the Secretary-General.

Travelling and subsistence expenses of representatives of Members shall normally be borne by the Members concerned. The Council may authorise the reimbursement in special cases of expenditure incurred by representatives of Members in connexion with special tasks laid upon them by the Organisation.

*Article 2. SUPPLEMENTARY BUDGET*

The Council may require the Secretary-General to present a supplementary budget if circumstances make it necessary. The Secretary-General shall submit to the Council an estimate of the cost of all resolutions submitted to the Council. No resolution involving additional expenditure shall be deemed to be approved by the Council until it has approved an estimate of the additional expenditure involved.

*Article 3. BUDGET COMMITTEE*

A Budget Committee composed of representatives of Members of the Organisation shall be set up by the Council. The Secretary-General shall submit the budget to this Committee for preliminary examination before submitting it to the Council.

*Article 4. BASIS OF CONTRIBUTIONS*

Approved budget expenditure shall be met by contributions from the Members of the Organisation in accordance with a scale approved by the Council.

The Secretary-General shall notify the amount of their contributions to Members and invite them to remit their contribution at a date to be fixed by him.

*Article 5. CURRENCY OF CONTRIBUTIONS*

The budget of the Organisation shall be expressed in the currency of the country in which the Headquarters of the Organisation are established. The contributions of Members shall be made in that currency.

The Council may, however, require Members to pay a fraction of their contribution in any currency which may be needed for the work of the Organisation.

*Article 6. WORKING CAPITAL FUND*

Until the contributions have been assessed and paid, the Council shall call upon Members from time to time as may be necessary to make advances of working capital in the same currency or currencies as the contributions. These advances shall be reimbursed during the same-financial

year by appropriate deductions from contributions. The amount of such advances shall be assessed on the basis of the criterion used in calculating the contributions themselves.

*Article 7. ACCOUNTS AND AUDITING*

The Secretary-General shall cause an accurate account to be kept of all receipts and disbursements.

The Council shall appoint auditors who will serve for three years in the first instance and may be re-appointed. The function of the auditors shall be to examine the accounts of the Organisation particularly in order to certify that expenditure has conformed to the provisions made in the budget.

The Secretary-General shall furnish the auditors with such facilities as they may require to carry out their duties.

*Article 8. FINANCIAL REGULATIONS*

The Secretary-General shall submit to the Council for approval as soon as possible after the establishment of the Organisation detailed financial regulations drawn up in accordance with the principles set out herein and designed to ensure sound financial administration and economy of expenditure.

*Article 9. PROVISIONAL BUDGET*

Exceptionally, the Secretary-General shall, not later than two months after the coming into force of the Convention, present to the Council a first budget which will cover the period from the coming into force of the Convention up to June 30th, 1949, together with proposals regarding the amount of the advances of working capital required.

IN FAITH WHEREOF the undersigned Plenipotentiaries, being duly authorised to that effect, have signed the present Protocol.

DONE in Paris this sixteenth day of April Nineteen Hundred and Forty Eight, in the English and French languages, both texts being equally authentic, in a single copy which shall remain deposited in the Archives of the Government of the French Republic, which certified copies will be communicated to all the other signatories.

Pour l'Autriche :  
For Austria:

[*Signé — Signed*]  
KARL GRÜBER

Pour la Belgique :  
For Belgium:

[*Signé — Signed*]  
VAN DER STRATEN

Pour le Danemark :  
For Denmark:

[*Signé — Signed*]  
GUSTAV RASMUSSEN

Pour la France :  
For France:

[*Signé — Signed*]  
G. BIDAULT

Pour la Grèce :  
For Greece:

[*Signé — Signed*]  
C. TSALDARIS

Pour l'Irlande :  
For Ireland

[*Signé — Signed*]  
SEAN MC BRIDE

Pour l'Islande :  
For Iceland:

[*Signé — Signed*]  
PETUR BENEDIKTSSON

Pour l'Italie :  
For Italy:

[*Signé — Signed*]  
SFORZA

Pour le Luxembourg :  
For Luxembourg:

[*Signé — Signed*]  
JOSEPH BECH

Pour la Norvège :  
For Norway:

[*Signé — Signed*]  
GUNDERSEN

Pour les Pays-Bas :  
For the Netherlands:

[*Signé — Signed*]

VAN BOETZELAER

Pour le Portugal :  
For Portugal:

[*Signé — Signed*]

MARCELLO MATHIAS

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
For the United Kingdom of Great Britain and Northern Ireland:

[*Signé — Signed*]

ERNEST BEVIN

Pour la Suède :  
For Sweden:

[*Signé — Signed*]

KARIN KOCK

Pour la Suisse :  
For Switzerland:

[*Signé — Signed*]

C. J. BURCKHARDT

Pour la Turquie :  
For Turkey:

[*Signé — Signed*]

N. MENEMENCIOLU

Pour la Zone française d'occupation en Allemagne de la France :  
For the French Zone of Occupation of Germany:

[*Signé — Signed*]

P. KOENIG

Pour les Zones d'occupation en Allemagne du Royaume-Uni et des Etats-Unis d'Amérique :  
For the United Kingdom and United States Zones of Occupation of Germany:

[*Signé — Signed*]

BRIAN H. ROBERTSON

PROTOCOL<sup>1</sup> ON THE REVISION OF THE CONVENTION FOR EUROPEAN ECONOMIC CO-OPERATION OF 16TH APRIL, 1948

The Governments of the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Kingdom of Greece, the Republic of Iceland, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the Portuguese Republic, Spain, the Kingdom of Sweden, the Swiss Confederation, the Turkish Republic, the United Kingdom of Great Britain and Northern Ireland being the Contracting Parties to the Convention for European Economic Co-operation of 16th April, 1948<sup>2</sup> (hereinafter called the "Convention") and the Members of the Organisation for European Economic Co-operation;

Desirous that the aims, organs, and powers of the Organisation be redefined and that the Governments of Canada and the United States of America be Members of that Organisation as re-constituted;

Have agreed as follows:

*Article 1.* The Convention shall be revised and as a consequence thereof it shall be replaced by the Convention on the Organisation for Economic Co-operation and Development<sup>3</sup> to be signed on today's date.

*Article 2.* 1. This Protocol shall come into force when the Convention on the Organisation for Economic Co-operation and Development comes into force.

2. The Convention shall cease to have effect as regards any Signatory of this Protocol when the Convention on the Organisation for Economic Co-operation and Development comes into force.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered, have appended their signatures to this Protocol.

DONE in Paris, this fourteenth day of December, Nineteen Hundred and Sixty, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited with the Government of the French Republic, by whom certified copies will be communicated to all the Signatories.

<sup>1</sup> Came into force in respect of all signatories on 30 September 1961, the date of entry into force of the Convention on the Organisation for Economic Co-operation and Development done at Paris on 14 December 1960, in accordance with article 2 (1). The Protocol was signed on behalf of the following States:

Austria  
Belgium  
Denmark  
France  
Germany, Federal Republic of  
Greece  
Iceland  
Ireland  
Italy

Luxembourg  
Netherlands  
Norway  
Portugal  
Spain  
Sweden  
Switzerland  
Turkey  
United Kingdom of Great Britain and Northern Ireland

<sup>2</sup> See p. 143 of this volume.

<sup>3</sup> See p. 179 of this volume.

Pour la République fédérale d'Allemagne :  
For the Federal Republic of Germany:

LUDWIG ERHARD

ALBERT HILGER VAN SCHERPENBERG

Pour la République d'Autriche :  
For the Republic of Austria:

BRUNO KREISKY

Dr. FRITZ BOCK

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

P. WIGNY

R. OCKRENT

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

JENS OTTO KRAG

Pour l'Espagne :  
For Spain:

FERNANDO M. CASTIELLA

A. ULLASTRES

Pour la République française :  
For the French Republic:

M. COUVE DE MURVILLE

BAUMGARTNER

Pour le Royaume de Grèce :  
For the Kingdom of Greece:

A. PROTOPAPADAKIS

Pour l'Irlande :  
For Ireland:

SEÁN Ó LOINSIGH

Pour la République d'Islande :  
For the Republic of Iceland:

GYLFI TH. GISLASON

Pour la République italienne :  
For the Italian Republic:

GIUSEPPE PELLA

CARLO RUSSO

Pour le Grand-Duché de Luxembourg :  
For the Grand Duchy of Luxembourg:

E. SCHAUS

Pour le Royaume de Norvège :  
For the Kingdom of Norway:

HALVARD LANGE

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

Sous réserve de ratification

J. LUNS

STIKKER

Pour la République portugaise :  
For the Portuguese Republic:

J. G. CORREIA DE OLIVEIRA

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
For the United Kingdom of Great Britain and Northern Ireland:

SELWYN LLOYD

Pour le Royaume de Suède :  
For the Kingdom of Sweden:

GUNNAR LANGE

Pour la Confédération suisse :  
For the Swiss Confederation:

MAX PETITPIERRE

Pour la République de Turquie :  
For the Turkish Republic:

ALICAN