

No. 7333

**FEDERAL REPUBLIC OF GERMANY, BELGIUM,
FRANCE, NETHERLANDS and SWEDEN**

**Convention (with Financial Protocol) for the establishment
of a European Organization for Astronomical Research
in the Southern Hemisphere. Signed at Paris, on
5 October 1962**

Official texts: French, German, Dutch and Swedish.

Registered by France on 2 July 1964.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE, BELGIQUE,
FRANCE, PAYS-BAS et SUÈDE**

**Convention (avec Protocole financier) portant création
d'une Organisation européenne pour des recherches
astronomiques dans l'hémisphère austral. Signée à
Paris, le 5 octobre 1962**

Textes officiels français, allemand, néerlandais et suédois.

Enregistré par la France le 2 juillet 1964.

[TRANSLATION — TRADUCTION]

No. 7333. CONVENTION¹ FOR THE ESTABLISHMENT OF
A EUROPEAN ORGANIZATION FOR ASTRONOMICAL
RESEARCH IN THE SOUTHERN HEMISPHERE.
SIGNED AT PARIS, ON 5 OCTOBER 1962

The Governments of the States Parties to this Convention,

Considering :

That the study of the southern celestial hemisphere is much less advanced than that of the northern hemisphere,

That, consequently, the data on which knowledge of the galaxy is based are by no means of equal value in the different sections of the heavens and that it is essential to improve them and to supplement them where they are inadequate,

That, in particular, it is highly regrettable that systems which have no equivalent in the northern hemisphere are almost inaccessible to the largest instruments now in use,

That there is therefore an urgent need for the installation in the southern hemisphere of powerful instruments, comparable with those in the northern hemisphere, but that such a project can be successfully carried out only through international co-operation,

Desiring to establish jointly in the southern hemisphere an observatory equipped with powerful instruments, and thus to promote and organize co-operation in astronomical research,

Have agreed as follows :

Article I

ESTABLISHMENT OF THE ORGANIZATION

1. A European Organization for Astronomical Research in the Southern Hemisphere, hereinafter referred to as « the Organization », is hereby established.

2. The provisional seat of the Organization shall be at Brussels. Its seat shall be definitively fixed by the Council set up under article IV.

¹ In accordance with article XIV, paragraph 1, of the Convention, the Convention and the Financial Protocol came into force on 24 December 1963, the date of deposit of the fourth instrument of ratification. The instruments were deposited with the French Government on the following dates :

Netherlands	12 June 1963
Sweden	5 October 1963
Federal Republic of Germany	5 December 1963
France	24 December 1963

Article II

PURPOSES

1. The purpose of the Organization shall be the construction, equipment and operation of an astronomical observatory situated in the southern hemisphere.

2. The initial programme of the Organization shall comprise the construction, equipment and operation of an observatory in the southern hemisphere, consisting of :

(a) A telescope having an aperture of about 3 metres ;

(b) A Schmidt camera with a plate of about 1.20 metres ;

(c) A maximum of three telescopes with apertures not greater than 1 metre ;

(d) A meridian circle ;

(e) The auxiliary apparatus required for research programmes utilizing the instruments described under (a), (b), (c) and (d) ;

(f) The buildings required for the housing of the equipment described under (a), (b), (c), (d) and (e), for the administration of the observatory and for the accommodation of the staff.

3. All supplementary programmes shall be submitted to the Council set up under article IV of this Convention, and shall be subject to the approval of a two-thirds majority of the States members of the Organization. No State which has not approved such a supplementary programme shall be obliged to contribute towards its execution.

4. The member States shall facilitate the exchange of personnel and of scientific and technical information which is likely to be of use in carrying out the programmes in which they participate.

Article III

MEMBERS

1. The States Parties to this Convention shall be members of the Organization.

2. Other States may be admitted to the Organization in accordance with the procedure laid down in article XIII, paragraph 4.

Article IV

ORGANS

The Organization consists of the Council and the Director.

Article V

COUNCIL

1. The Council shall be composed of two delegates from each member State, of whom at least one shall be an astronomer. The delegates may be assisted by experts.

2. The Council shall :

(a) Determine the Organization's policy in scientific, technical and administrative matters ;

(b) Approve the budget by a two-thirds majority of the member States and determine the financial arrangements of the Organization in accordance with the Financial Protocol¹ annexed to this Convention ;

(c) Supervise expenditures and approve and publish audited annual accounts of the Organization ;

(d) Decide upon the composition of the staff and approve the appointment of high-level officials of the Organization ;

(e) Publish an annual report ;

(f) Approve the internal rules for the observatory proposed by the Director ;

(g) Have full powers to take the measures necessary for the operation of the Organization.

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

4. Each member State shall have one vote in the Council. Nevertheless, a member State shall not be entitled to vote on the execution of a programme other than the initial programme referred to in article II, paragraph 2, unless it has agreed to contribute financially to that programme or unless the vote relates to equipment to the cost of which it has agreed to contribute.

5. The decisions of the Council shall not be valid unless the representatives of at least two-thirds of the member States are present.

6. Decisions of the Council shall be taken by an absolute majority of the member States represented and voting, except where otherwise provided in this Convention.

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

8. The Council shall elect from its own number a President, who shall hold office for one year and may be re-elected not more than twice consecutively.

9. The President shall convene the meetings of the Council. He shall be bound to convene a meeting of the Council within thirty days of a request to that effect by not less than two member States.

¹ See p. 282 of this volume.

10. The Council may establish such subsidiary bodies as may be necessary for the purposes of the Organization. The Council shall decide the terms of reference of those bodies.

11. The Council shall, by a unanimous decision of the member States, determine the State on whose territory the observatory shall be established and the situation of the observatory.

12. The Council shall conclude such agreements relating to the seat of the Organization as may be necessary for the purposes of this Convention.

Article VI

DIRECTOR AND STAFF

1. (a) The Council shall appoint the Director, for a fixed period, by a two-thirds majority of the member States; the Director shall be responsible only to the Council. He shall be entrusted with the general administration of the Organization. He shall be the legal representative of the Organization. He shall submit an annual report to the Council. He shall attend the Council's meetings in a consultative capacity unless the Council decides otherwise.

(b) The Council may, by a two-thirds majority of the member States, terminate the appointment of the Director.

(c) When the office of Director is vacant, the President of the Council shall be the Organization's legal representative. In that case, the Council may appoint a person to act in the place of the Director and shall decide upon the powers and responsibilities of such a person.

(d) Under conditions laid down by the Council, the President and the Director may delegate their powers of signature.

2. The Director shall be assisted by such scientific, technical and administrative staff as may be authorized by the Council.

3. Subject to article V, paragraph 2 (d), and to budgetary authorizations, the staff shall be appointed and dismissed by the Director. Such appointments and their termination shall be in accordance with staff regulations adopted by the Council.

4. The Director and the staff of the Organization shall exercise their functions in the interests of the Organization. They shall not seek or receive instructions other than from the competent organs of the Organization. They shall refrain from any action inconsistent with the nature of their office. Each member State undertakes not to influence the Director and staff of the Organization in the discharge of their responsibilities.

5. Research workers and their assistants who, not being members of the staff of the Organization, are engaged with the authorization of the Council to undertake