

**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.

**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. CONVENTION¹ 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.

¹ 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-