

No. 9862

**FRANCE
and
EUROPEAN ORGANIZATION FOR
NUCLEAR RESEARCH**

**Agreement concerning the legal status of the said Organization
on French territory (with annex). Signed at Meyrin on
13 September 1965**

Authentic texts: French and English.

Registered by France on 4 September 1969.

**FRANCE
et
ORGANISATION EUROPÉENNE POUR
LA RECHERCHE NUCLÉAIRE**

**Accord relatif au statut juridique de ladite Organisation sur
le territoire français (avec annexe). Signé à Meyrin le
13 septembre 1965**

Textes authentiques: français et anglais.

Enregistré par la France le 4 septembre 1969.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH CONCERNING THE LEGAL STATUS OF THE SAID ORGANIZATION ON FRENCH TERRITORY

The Government of the French Republic, of the one part,
the European Organization for Nuclear Research
(hereinafter referred to as “ the Organization ”), of the other,

Whereas, on 1st July, 1953, a Convention² was signed in Paris for the establishment of a European Organization for Nuclear Research, of which France and twelve other States are at present members,

Whereas it is laid down in the second paragraph of Article I of that Convention that “ the seat of the Organization shall be at Geneva ”,

Whereas the Organization has concluded an Agreement³ with the Government of Switzerland determining the legal status of the Organization in the country on whose territory it actually exercises its functions,

Considering that the site placed at the Organization's disposal by the Swiss Confederation and situate in the Commune of Meyrin (Canton of Geneva) has become too small on account of the development of the activities of the said institution and that the need to extend the site of the Organization has become imperative,

Considering that the Government of the French Republic, wishing to help the said Organization in the exercise of its functions, purchased a piece of land contiguous to the present site of the Organization and has placed it at the Organization's disposal, pursuant to an agreement for a lease signed this same day,

Considering that the seat of the Organization shall remain in Switzerland, but that the Organization will also perform work of a continuing nature on French territory,

Wishing to regulate by the present Agreement the questions concerning the permanent exercise of certain functions of the Organization on this territory and to determine in consequence the legal status in France of the Organization and those taking part in its activities, without prejudice to the provisions of the Convention for the establishment of a European Organization for Nuclear

¹ Came into force on 14 January 1967, i.e., 30 days after the receipt of the last of the notifications by which each party communicated to the other its approval of the Agreement, in accordance with article XXIV.

² United Nations, *Treaty Series*, vol. 200, p. 149.

³ *Ibid.*, vol. 249, p. 405.

Research signed in Paris on 1st July, 1953,¹ which remain unchanged and in full force between the parties to the present Agreement,

Have agreed as follows :

Article I

The Organization shall enjoy the immunities and privileges generally granted to intergovernmental organizations under international law in order to help them to carry out their functions.

Article II

1. The legal status conferred upon the Organization in the present Agreement shall apply to all the land forming part of its site and which is situate on French territory (see Annex,² part coloured blue).

2. The whole site on which the Organization exercises the functions for which it was established shall be placed under its authority and control. The Organization consequently shall have the right to issue internal rules applicable to the whole of its site and intended to establish thereon the conditions necessary for the exercise of its functions.

Article III

1. The grounds and buildings of the Organization shall be inviolable.

2. Within the limits of the land placed at the disposal of the Organization, the execution of legal process, including seizure of private property, shall be subject to the prior consent of and to conditions approved by the Director-General of the Organization or the person acting in his stead.

3. Without prejudice to the provisions of the present Agreement, the Organization shall not allow its grounds or buildings to serve as a refuge to a person sought for the execution of a judicial decision or wanted in connection with a crime being or having been committed or for whom a warrant of arrest has been issued.

4. The terms of execution of legal, police or customs measures of any of the kinds mentioned in the previous paragraph, to be carried out by a French official on that part of the site of the Organization situate on Swiss territory or by a Swiss official on the part of the site of the Organization situate on French territory shall form the subject of an agreement between the two Governments concerned which will settle this special problem in a reciprocal manner and will take into account the various interests and prerogatives concerned.

¹ United Nations, *Treaty Series*, vol. 200, p. 149.

² See insert between pp. 60 and 61 of this volume.

Article IV

1. In so far as it is its concern, the Government of the French Republic shall ensure the protection of the Organization's land and the maintenance of order in its immediate vicinity.
2. At the request of the Director-General of the Organization or of the person acting in his stead, the French authorities shall, within the means at their disposal, give the assistance of the necessary police forces to maintain order within the Organization's site.
3. In the event of the French or Swiss police forces being used, without distinction as to nationality in any part of the land forming the whole site of the Organization, the agreement provided for in paragraph 4 of Article III shall determine the conditions governing the use of the said forces.

Article V

1. The competent French authorities shall, at the request of the Director-General or of the person acting in his stead, endeavour to arrange for the provision of the necessary public utility services under fair terms.
2. For the provision of all public utility services by the Government of the French Republic or by the bodies under its control the Organization shall enjoy the same price reductions as are granted to the French Government departments.
3. In the event of these services being wholly or partially interrupted owing to force majeure, the Organization shall be granted the same priority for its requirements as the French Government departments.

Article VI

1. The Organization, its property, funds and assets shall enjoy immunity from legal process, except in so far as this immunity is specifically waived in a particular case by the Director-General of the Organization or the person acting in his stead. However, if the Organization institutes proceedings, it may no longer invoke immunity from legal process concerning any counter-claim directly connected with the main claim.
2. Waiver of immunity from legal process shall not imply waiver of immunity from the execution of judgement, which must always be waived separately.

Article VII

The inviolability of the official correspondence of the Organization shall be guaranteed. Its official communications may not be censored and it may use codes and also forward and receive correspondence by courier or sealed bag enjoying the usual privileges and immunities.