

No. 24265

MULTILATERAL

Convention for the establishment of a European organisation for the exploitation of meteorological satellites (“EUMETSAT”) (with annexes). Concluded at Geneva on 24 May 1983

Authentic texts: French and English.

Registered by Switzerland on 25 July 1986.

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Convention portant création d’une organisation européenne pour l’exploitation de satellites météorologiques (“EUMETSAT”) [avec annexes]. Conclue à Genève le 24 mai 1983

Textes authentiques : français et anglais.

Enregistrée par la Suisse le 25 juillet 1986.

CONVENTION¹ FOR THE ESTABLISHMENT OF A EUROPEAN ORGANISATION FOR THE EXPLOITATION OF METEOROLOGICAL SATELLITES ("EUMETSAT")

The States parties to this Convention,

Considering that:

- The safety of populations and the efficient execution of numerous human activities are conditioned by meteorological data and that it calls for more accurate and prompter forecasts;
- The possibility of improving the forecasts to a large extent depends on the availability of meteorological observations, local as well as global, including those relating to remote and desert regions;
- Meteorological satellites have proved their aptitude and unique potential as a complement to the ground observation systems, particularly in respect of permanent weather monitoring and the carrying out and speedy collection of observations over the most inaccessible areas of the earth's surface;

Noting that:

- The World Meteorological Organisation has recommended its members to improve meteorological data bases and strongly supported plans to develop and exploit a global satellite observation system in order to contribute to the "World Weather Watch";

¹ Came into force in respect of the following States on 19 June 1986, the date agreed upon by the decision taken at Paris on 18 June 1986 by the Governments of the States which had signed the Convention definitively or deposited with the Government of Switzerland an instrument of ratification, acceptance or approval, in accordance with article 16 (2) :

<i>State</i>	<i>Date of definitive signature (s) or of deposit of the instrument of ratification, acceptance (A) or approval (AA)</i>	
Belgium	4 October	1985
Denmark	17 January	1984 s
Finland	13 December	1984
France	12 February	1985 AA
Germany, Federal Republic of	25 March	1986
(With a declaration of application to <i>Land Berlin</i> .)		
Ireland	27 June	1985
Italy	17 June	1986
Netherlands	23 March	1984 A
(For the Kingdom in Europe. Confirming the declaration made upon signature.)*		
Norway	18 April	1985
Spain	4 February	1985
Sweden	25 January	1985
Switzerland	29 July	1985
Turkey	20 August	1984
United Kingdom of Great Britain and Northern Ireland	21 May	1985
(For the United Kingdom of Great Britain and Northern Ireland and the Territories under the territorial Sovereignty of the United Kingdom situated in the region to which the Convention applies.)		

* See p. 36 of this volume for the text of the declaration made upon signature.

— The Meteosat experimental programme, conducted by the European Space Agency, has demonstrated Europe's capacity to assume its share of responsibility in the operation of a global satellite observation system;

Recognising that:

- No national or international organisation has planned any arrangement to provide Europe with all meteorological satellite data necessary to cover its zones of interest;
- The magnitude of the human, technical and financial resources required for activities in the space field is such that these resources lie beyond the means of any single European country;
- It is desirable to provide the European meteorological organisations with a framework for cooperation enabling them to embark on joint activities making use of space technologies applicable to meteorological research and weather forecasting;

Have agreed as follows:

Article 1. ESTABLISHMENT OF EUMETSAT

1. A European Organisation for the Exploitation of Meteorological Satellites, hereinafter referred to as "Eumetsat", is hereby established.

2. The members of Eumetsat, hereinafter referred to as "Member States", shall be those States that are Parties to this Convention in pursuance of the provisions of Article 15.2 or 15.3.

3. Eumetsat shall have legal personality. It shall in particular have the capacity to [contract, to]¹ acquire and dispose of movable and immovable property and to be party to legal proceedings.

4. The organs of Eumetsat shall be the Council and the Director.

5. The Headquarters of Eumetsat shall provisionally be located in the European Space Agency's premises in Paris. The final decision on the location of the Headquarters shall be taken by the Council, in accordance with the provisions of Article 5.2 (b) (viii) below.

6. The official languages of Eumetsat shall be English and French.

Article 2. OBJECTIVES

1. The primary objective of Eumetsat is to establish, maintain and exploit European systems of operational meteorological satellites, taking into account as far as possible the recommendations of the World Meteorological Organisation.

2. The definition of the initial system is contained in Annex I.

3. In the execution of its objectives, Eumetsat shall:

- (a) Take maximum advantage of the technologies developed in Europe in particular in the field of meteorological satellites by providing for operational continuation of the programmes that have proved technically successful and cost-effective;

¹ The text within brackets reflects the rectifications effected by procès-verbal dated 17 October 1984. No objection having been raised within a period of two months after the proposals of rectification were communicated to the Governments of the Signatory States on 15 August 1984, the original English and French texts of the Convention were deemed corrected.

- (b) Rely as appropriate on the capabilities of the existing international organisations carrying out activities in a similar field;
- (c) Contribute to the development of space meteorology techniques and meteorological observing systems using satellites that may lead to improved services at optimum cost.

Article 3. COOPERATION

For the purpose of achieving its objectives Eumetsat shall, as far as possible, and in conformity with meteorological tradition, cooperate with the Governments and national organisations of the Member States, as well as with non-member States and governmental and non-governmental international scientific and technical organisations whose activities are related to its objectives. Eumetsat may conclude agreements to that end.

Article 4. THE COUNCIL

1. The Council shall be composed of not more than two representatives of each Member State, one of whom should be a delegate of his country's meteorological service. The representatives may be assisted by advisers during meetings of the Council.

2. The Council shall elect from among its members a Chairman and a Vice-Chairman who shall hold office for two years and may be re-elected not more than once. The Chairman shall conduct the discussions of the Council and shall not have the capacity of a representative of a Member State.

3. The Council shall meet in ordinary session at least once a year. It may meet in extraordinary session at the request of either the Chairman or one-third of the Member States. The Council shall meet at the Eumetsat Headquarters unless it decides otherwise.

4. The Council may establish subsidiary bodies and working groups as it deems necessary for the achievement of the objectives of Eumetsat.

5. The Council shall adopt its own rules of procedure.

Article 5. ROLE OF THE COUNCIL

1. The Council shall have the powers to adopt all the measures necessary for the implementation of this Convention.

2. In particular, the Council shall be empowered,

(a) By a unanimous vote of all Member States:

- (i) To decide on the accession of states referred to in Article 15.3, and on the terms and conditions governing such accession;
- (ii) To decide on amendments to the Annexes and on the date of their entry into force;
- (iii) To approve the conclusion of cooperation Agreements with non-member States;
- (iv) To decide to dissolve or not to dissolve Eumetsat in conformity with Article 19;

- (v) To decide on the modalities for embarking on the execution of systems other than that defined in Annex I and matching the objectives of Eumetsat;
- (b) By a two-thirds majority vote of the Member States present and voting representing also at least two-thirds of the total amount of contributions:
 - (i) To adopt the annual budget, together with the level of staff complements and the expenditure and income forecast for the following three years attached thereto;
 - (ii) To approve annually the accounts of the previous year, together with the balance sheet of the assets and liabilities of Eumetsat, after taking note of the auditor's report, and give discharge to the Director in respect of the implementation of the budget;
 - (iii) To adopt the appropriate measures referred to in Article 9.4;
 - (iv) To adopt the financial rules as well as all other financial provisions;
 - (v) To fix the amount of the special payment referred to in Article 16.5;
 - (vi) To decide on the way Eumetsat will be dissolved pursuant to the provisions of Article 19.3 and 4;
 - (vii) To decide on the exclusion of a Member State pursuant to the provisions of Article 13;
 - (viii) To decide on any transfer of the Eumetsat Headquarters;
 - (ix) To adopt the staff rules;
- (c) By a two-thirds majority of the Member States present and voting,
 - (i) To appoint the Director for a specific period, and terminate or suspend his appointment; in the case of suspension the Council shall appoint an Acting Director;
 - (ii) To define the operational specifications of the European meteorological satellite system, as well as the products and services which the system will provide to the Member States, as described in Annex I;
 - (iii) To approve the conclusion of any Agreement with Member States, international governmental and non-governmental organisations, or national organisations of Member States;
 - (iv) To adopt recommendations to the Member States concerning amendments to this Convention;
 - (v) To adopt its own rules of procedure;
 - (vi) To appoint the auditors and to decide the length of their appointments.
- (d) By a majority of the Member States present and voting,
 - (i) To approve appointments and dismissals of senior staff;
 - (ii) To decide on the setting-up of subsidiary bodies and working groups and define their terms of reference;
 - (iii) To decide on any other measures not explicitly provided for in this Convention.

3. Each Member State shall have one vote in the Council. However, a Member State shall have no vote in the Council if the amount of its arrears of

contributions exceeds the assessed amount of its contributions for the current financial year. In such case the Member State concerned may nevertheless be authorised to vote if a two-thirds majority of all the Member States entitled to vote considers that the non-payment is due to circumstances beyond its control. For the purpose of determining unanimity or the majorities provided for in the present Convention, no account shall be taken of a Member State that is not entitled to vote.

The expression "Member States present and voting" shall mean the Member States voting for or against. Member States that abstain shall be considered as not voting.

4. The presence of representatives of a majority of all the Member States entitled to vote shall be necessary to constitute a quorum. Council decisions in respect of urgent matters may be secured by means of a written procedure in the interval between Council meetings.

Article 6. THE DIRECTOR

1. The Director shall be responsible for the implementation of the decisions taken by the Council and for the execution of the tasks assigned to Eumetsat. He shall be the legal representative of Eumetsat and in that capacity he shall sign Agreements approved by the Council, as well as contracts.

2. The Director shall act on the instructions of the Council. He shall in particular,

- (a) Ensure the proper functioning of Eumetsat;
- (b) Receive the contributions of the Member States;
- (c) Enter into the commitments and incur the expenditure decided on by the Council, within the limit of the authorised credits;
- (d) Draft tender invitations and contracts;
- (e) Prepare the meetings of the Council and provide the meetings of [possible subordinate bodies and]¹ working groups with the necessary technical and administrative assistance;
- (f) Monitor and control the execution of contracts;
- (g) Prepare and implement the budget of Eumetsat in accordance with the financial rules and submit annually for approval by the Council the accounts relating to the implementation of the budget and the balance sheet of assets and liabilities, drawn up in each case in accordance with the financial rules and the report on the activities of Eumetsat;
- (h) Maintain the necessary accounts;
- (i) Execute such other tasks as may be entrusted to him by the Council.

3. The Director shall be supported by a Secretariat.

Article 7. STAFF OF THE SECRETARIAT

[1. Except as provided for in the second sentence of this paragraph]² the staff of the Secretariat shall be governed by the staff rules adopted by the Council

¹ See note 1, p. 19 of this volume.

² Correction effected by a notification dated 17 February 1984 — Correction effectuée par une notification en date du 17 février 1984.

under the provisions of Article 5.2 (b). Where the conditions of employment of a staff member of the Secretariat are not governed by the said rules, they shall be governed by the law applicable in the country where the person concerned is carrying out his duties.

2. Staff shall be recruited on the basis of their qualifications, account being taken of the international character of Eumetsat. No post may be reserved to nationals of a specific Member State.

3. Staff of national bodies of the Member States may be employed by and made available to Eumetsat for a specific period.

4. The Council shall, in conformity with Article 5.2 (d), approve appointments and dismissals of senior staff as defined in the staff rules. Other staff members shall be appointed and may be dismissed by the Director acting under authority delegated by the Council. The Director shall have authority over the Secretariat staff as a whole.

5. The Member States shall respect the international character of the responsibilities of the Director and members of the Secretariat. In the exercise of their duties, the Director and members of the Secretariat shall neither seek nor accept instructions from any Government or any authority external to Eumetsat.

Article 8. LIABILITY

1. Eumetsat offers no warranty in respect of the services and products provided or to be provided pursuant to this Convention.

2. Eumetsat, the Member States, and their civil servants or employees when acting in the exercise of their functions and within the limits of their authority, as well as any representative at Eumetsat meetings, shall not be liable to any Member State or Eumetsat in respect of loss or injury resulting from any discontinuation, delay or unsatisfactory operation of the services provided in accordance with Annex I to this Convention.

3. No Member State shall be liable for the acts and obligations of Eumetsat linked with the establishment of the space segment of Eumetsat, except where such liability results from a treaty to which that Member State and a State claiming compensation are parties. In that case, Eumetsat shall indemnify the Member State concerned in respect of any such liability, unless the latter has expressly undertaken to assume exclusively such liability. The Council shall establish the procedures for the implementation of this paragraph.

Article 9. FUNDING PRINCIPLES

1. The expenditure of Eumetsat shall comprise the costs relating to the services provided by contractors and suppliers, as well as the expenditure necessary for the execution of the duties devolving on it.

2. The expenditure of Eumetsat shall be covered by the financial contributions of the Member States and by any other Eumetsat income.

3. Each Member State shall pay to Eumetsat an annual contribution in convertible currency on the basis of the scale contained in Annex II. The methods of payment of the contributions shall be determined in the financial rules.

4. If, subsequent to the date of entry into force of this Convention pursuant to either paragraph 1 or paragraph 2 of Article 16, a Member State ceases to be a

party to the Convention or if a State accedes to it, the Council shall examine the corresponding consequences and shall adopt the appropriate measures. In addition, the scale of contributions referred to in Annex II may be adjusted on a *pro rata* basis.

5. The financial rules shall define the applicable procedure in the event of the non-payment of contributions of a Member State, as well as the additional charges on the Member State that is in arrears with its contributions.

6. The Council may accept voluntary contributions, whether in cash or otherwise, provided they are made for purposes compatible with the objectives, activities and principles of conduct of Eumetsat.

Article 10. THE BUDGET

1. The budget shall be established in terms of European Currency Units (ECU) as defined in the Financial Regulations of the European Communities No. 3180/78 of 18 December 1978.

2. The financial year shall run from 1 January to 31 December.

3. The annual budget of Eumetsat shall be drawn up for each financial year before the beginning of that year under the conditions laid down in the Financial Rules. The revenue and expenditure shown in the budget shall be in balance.

4. The Council shall, in conformity with Article 5.2 (b), adopt the budget for each financial year, as well as any supplementary and amending budgets.

5. The Council's adoption of the budget shall constitute:

- (a) The obligation for each Member State to make available to Eumetsat the financial contributions fixed in the budget;
- (b) The authority for the Director to incur commitments and expenditure within the limit of the corresponding authorised credits.

6. If the budget has not been adopted by the Council by the beginning of a financial year, the Director may, each month, enter into commitments and make payments in each chapter of the budget up to one twelfth of the appropriations in the budget of the preceding financial year, provided that he shall not have at his disposal appropriations in excess of one twelfth of those provided for in the draft budget.

7. Member States shall pay each month, on a provisional basis and in accordance with the scale referred to in Annex II, the amounts necessary for the application of paragraph 6.

8. The detail of the financial arrangements and accounting procedures shall be contained in the financial rules adopted by the Council in conformity with Article 5.2 (b).

Article 11. AUDIT

1. The accounts of all revenue and expenditure shown in the budget and the balance sheet of the assets and liabilities of Eumetsat shall, under the conditions laid down in the financial rules, be submitted for annual audit. The auditors shall submit to the Council each year a report on the accounts.

2. The Director shall give the auditors any information and assistance needed for the execution of their task.

3. The further detail of the audit shall be determined by the Council.

Article 12. PRIVILEGES AND IMMUNITIES

Eumetsat shall enjoy the privileges and immunities that are necessary for the performance of its official activities, in conformity with a Protocol to be drawn up subsequently.

Article 13. NON-FULFILMENT OF OBLIGATIONS

A Member State that fails to fulfil its obligations under this Convention shall cease to be a member of Eumetsat, if the Council so decides in conformity with the provisions of Article 5.2 (b), the State concerned not taking part in the vote on this issue. The decision shall take effect at the end of the financial year during which it was taken. The provisions of paragraphs 2 and 3 of Article 18 shall apply.

Article 14. DISPUTES

1. Any dispute between two or more Member States, or between any of them and Eumetsat, concerning the interpretation or application of this Convention or its Annexes, that cannot be settled by or through the Council, shall, at the request of any Party to the dispute, be submitted to an Arbitration Tribunal, unless the Parties agree on another mode of settling the dispute.

2. The Arbitration Tribunal shall consist of three members. Each Party to the dispute shall nominate one arbitrator within a period of two months reckoned from the date of receipt of the request referred to in paragraph 1 above. The first two arbitrators shall, within a period of two months reckoned from the nomination of the second arbitrator, nominate the third arbitrator, who shall be the chairman of the Arbitration Tribunal and who may not be a national of a State that is a Party to the dispute. If one of the two arbitrators has not been nominated within the required period he shall, at the request of either Party, be nominated by the President of the International Court of Justice or, if there is no agreement between the Parties to call on the latter, by the Secretary General of the Permanent Court of Arbitration. The same procedure shall apply if the Chairman of the Arbitration tribunal has not been nominated within the required period.

3. The Arbitration Tribunal shall itself determine its seat and establish its own rules of procedure.

4. Each Party shall bear the cost relating to the arbitrator for whose nomination it is responsible, as well as the costs of being represented before the Tribunal. The expenditure relating to the Chairman of the Arbitration Tribunal shall be shared equally by the Parties to the dispute.

5. The award of the Arbitration Tribunal shall be made by a majority of its members, who may not abstain from voting. This award shall be final and binding on all Parties to the dispute and no appeal shall lie against it. The Parties shall comply with the award without delay. In the event of a dispute as to its meaning or scope, the Arbitration Tribunal shall interpret it at the request of any Party to the dispute.

Article 15. SIGNATURE, RATIFICATION AND ACCESSION

1. This Convention shall be open for signature by the States that took part in the Conference of Plenipotentiaries on the setting-up of a European Organisation for the Exploitation of Meteorological Satellites.

2. The said States shall become Parties to this Convention either
— By signature not subject to ratification, acceptance or approval, or
— By the deposit of an instrument of ratification, acceptance or approval with the depositary if the Convention was signed subject to ratification, acceptance or approval.

3. From the date of entry into force of this Convention, any State that did not take part in the Conference of Plenipotentiaries referred to in paragraph 1 of this Article may accede to it following a Council decision taken in conformity with the provisions of Article 5.2 (a). A State that wishes to accede to this Convention shall notify the Director accordingly and the latter shall inform the Member States of the request at least three months before it is submitted to the Council for decision. The Council shall determine the terms and conditions for the accession of the State in question, in conformity with Article 5.2 (a).

4. The instruments of ratification, acceptance, approval and accession shall be deposited with the Government of the Swiss Confederation, referred to as “the depositary”.

Article 16. ENTRY INTO FORCE

1. This Convention shall enter into force sixty days after the date on which States whose aggregate contributions according to the scale at Annex II amount to at least 85% of the total amount of the contributions have become Parties to the Convention in implementation of Article 15.2.

2. If the requirements for entry into force of this Convention in accordance with paragraph 1 of this Article have not been met 2 years after the date on which the Convention was opened for signature, the depositary shall, at the earliest time possible, convene the Governments of the States which have signed the Convention without their signature being subject to ratification, acceptance or approval or which have deposited instruments of ratification, acceptance or approval. These Governments may then decide that notwithstanding the requirements of paragraph 1 the Convention shall enter into force among them. In taking such a decision these Governments shall agree upon the date of entry into force and a revision of the scale of contributions referred to in Annex II.

3. Following the entry into force of the Convention pursuant to either paragraph 1 or paragraph 2 of this Article, and pending the deposit of its instrument of ratification, acceptance or approval, a State that has signed the Convention subject to ratification, acceptance or approval may take part in Eumetsat meetings without the right to vote.

4. For any State that, subsequent to the date of entry into force of the Convention, pursuant to either paragraph 1 or paragraph 2 of this Article, signs the Convention without its signature being subject to ratification, acceptance or approval, or deposits its instrument of ratification, acceptance or approval, and for any State that accedes to it, the Convention shall take effect on the date of signature by the said State or on the date of deposit of its instrument of ratification, acceptance, approval or accession, as the case may be.

5. Any State referred to in Article 15.1 that becomes a Party to the Convention shall, in as far as is necessary, make a special payment towards the investments already made for setting up the initial system as described in Annex I, calculated on the basis of the rate of contribution of that State and fixed in

Annex II or determined by the Council in conformity with Article 5.2 (b). For any acceding State the special payment in question shall form part of the conditions governing accession, adopted by the Council in conformity with Article 5.2 (a).

Article 17. AMENDMENTS

1. Any Member State may propose amendments to this Convention. The amendment proposals shall be sent to the Director who shall communicate them to the other Member States at least three months prior to their examination by the Council. The Council shall examine the said proposals and may, by a decision taken in conformity with Article 5.2 (c) recommend the Member States to accept the proposed amendments.

2. The amendments recommended by the Council shall enter into force thirty days following the receipt by the depositary of the Convention of the written declarations of acceptance of all the Member States.

3. Notwithstanding the provisions of Article 5.2 (b) (iii) the Council may, by a decision taken in conformity with Article 5.2 (a), amend the Annexes to this Convention provided that any such amendment does not conflict with the Convention, at the same time determining the corresponding date of entry into force for all the Member States.

Article 18. DENUNCIATION

1. After this Convention has been in force for six years, any Member State may denounce it by notifying the depositary of the Convention. The denunciation shall take effect at the end of the financial year following that during which it was notified.

2. After the denunciation has taken effect, the State concerned shall remain bound to honour its share of the payment appropriations corresponding to approved contract authority used both under the budget for the financial year in which the denunciation was notified and under previous budgets.

3. The State concerned shall retain the rights it has acquired up to the date the denunciation takes effect.

Article 19. DISSOLUTION

1. Eumetsat may at any time be dissolved by the Council by a decision in accordance with Article 5.2 (a).

2. Unless the Council decides otherwise, by a decision taken in conformity with Article 5.2 (a), a Member State having denounced the Convention not taking part in the vote on this issue, Eumetsat shall be dissolved if, as a result of the denunciation of this Convention by one or more Member States under the provisions of Article 18.1, the contribution rate of each of the other Member States is increased by more than one-fifth compared to the rate laid down in Annex II.

3. In the cases referred to in paragraphs 1 and 2, the Council shall appoint a liquidation authority.

4. The assets shall be shared out among the States that are members of Eumetsat at the time of its dissolution *pro rata* to the contributions actually paid by them from the time of becoming Parties to this Convention. In the event of a

deficit this shall be met by the same States *pro rata* to the contributions as assessed for the current financial year.

Article 20. NOTIFICATION

The depositary shall notify the signatory and acceding States of:

- (a) All signatures of the Convention;
- (b) The deposit of any instrument of ratification, acceptance, approval or accession;
- (c) The entry into force of the Convention, pursuant to either paragraph 1 or paragraph 2 of Article 16;
- (d) The adoption and entry into force of any amendment to the Convention or to the Annexes thereto;
- (e) Any denunciation of the Convention, or any loss of membership status in Eumetsat;
- (f) The dissolution of Eumetsat.

Article 21. REGISTRATION

Upon the entry into force of this Convention, the depositary shall register it with the [Secretary-General]¹ of the United Nations in accordance with Article 102 of the Charter of the United Nations.

¹ See note 1, p. 19 of this volume.

ANNEX I

SYSTEM DESCRIPTION

1. *General*

The European Meteorological Satellite System will continue the preoperational Meteosat programme of geostationary satellites. The nominal position of the satellite will be over the 0° meridian. The system will comprise a space segment and a ground segment. The design of the spacecraft will be based on that of Meteosat. The ground segment will also make use of the experience gained during the preoperational Meteosat programme and will provide for the tracking and control of the spacecraft and for central processing of the data.

2. *Functional description*2.1. *Space segment*

The satellite will be equipped with the following capabilities:

- Imagery in three spectral regions, visible, infra-red atmospheric window, infra-red water vapour band.
- Dissemination of images and other data on two channels each capable of transmitting digital or analogue data to users stations.
- Collection of data transmitted from *in situ* measuring stations.
- Distribution of meteorological data to earth stations.

2.2. *Ground segment*

The ground segment will provide the following functions, most of which have to be performed in near real-time to meet meteorological requirement,

- Control, monitoring and operational use of one active satellite.
- Possibility of controlling a second satellite not in operation.
- Reception and preprocessing of image data. Preprocessing is the process of determining and adjusting for radiometric and geometric variations in the raw data. It will comprise as a minimum, mutual registration of the different channels, calibration of the infra-red atmospheric window channel, image localization.
- Dissemination of preprocessed images to primary (PDUS) and secondary (SDUS) user stations.
- Dissemination through the satellite of miscellaneous data including administrative messages and charts supplied from meteorological services.
- Dissemination of images from other meteorological satellites.
- Acquisition and limited processing of messages from *in situ* measuring stations (Data Collection Platforms (DCP)) and their dissemination. Dissemination of these messages will include both input to the meteorological Global Telecommunication System and transmission through the satellite to users stations. (These transmissions will be in addition to the other transmissions listed in this section.)
- Extraction of quantitative meteorological data, including wind vectors; other data-needed for operational meteorology, such as sea surface temperature, upper tropospheric humidity, cloud amount and height; and a data set suitable for climatological purposes.

- Archiving in digital form of all available images for a sliding period of at least five months and of all the produced elaborated meteorological information permanently.
- Archiving on photographic film of at least 2 full disc images each day.
- Retrieval of archived information.
- Production and distribution of documentation including for instance an image catalogue and a system users' guide.
- Quality control of products and transmissions.

3. *Technical performance*

3.1. *Space segment*

The detailed performance specification for the spacecraft will be decided by the [Council]¹ but will not be inferior to the specification for the preoperational Meteosats except that the facility for "interrogating" data collection platforms through a dedicated down-link will be omitted.

The following improvements are foreseen:

- Improved lifetime as regards electric power and propellant.
- Improved reliability of radiometer and electronics.
- Water vapour channel to be brought to the same standard of design and manufacture as the other two channels; noise (interference) to be reduced.
- Simultaneous operation of the infra-red window channel, the water-vapour channel and both visible channels.
- "In flight" calibration of the water vapour channel.
- Temperature control of calibrating black body.
- Modification of transponder to allow for distribution of digital data to earth stations in addition to preoperation Meteosat functions.

3.2. *Ground segment*

The technical performance for the functions listed in 2.2. shall at least be that of the preoperational system. The system will however, be updated with the aim of improving reliability and reducing operating costs.

4. *Bridging activities*

The operation of the existing system, including Meteosat F1 and F2 and the satellite P2 (if launched within the framework, of the pre-operational programme) will also be incorporated with the operational programme with effect from 24 November 1983.

5. *Launch schedule*

5.1. The operational programme will cover the procurement of components and building of sub-units necessary for three new flight models (MO1, MO2, MO3) and one spare.

Only one integration team will be used and the spacecraft will be integrated sequentially.

MO1 will be launched when ready, in principle in the first half of 1987.

MO2 will be launched about one and a half years later, in principle in the second half of 1988.

MO3 will be launched in principle in the second half of 1990.

¹ See note 1, p. 19 of this volume.

This launch date could be moved as warranted by the status of the programme and the availability of launchers at decision time.

Insurance of the launches of MO1 and MO2 will be arranged in order to allow for integration and launch of an additional flight unit if necessary.

5.2. The maximum amount referred to in Annex II assumes that all launches will share a dual launch on Ariane. [The Council]¹ may decide by unanimous vote to use single launches if the programme requires it.

6. *Duration of the programme*

The use of the operational satellites resulting from the tentative schedule is expected to be 8.5 years starting with the launch of MO1 in 1986-87. In addition there will be bridging activities using existing satellites and providing operation of those satellites (F1, F2, P2), as available during the period from 24 November 1983 until the launch of MO1 in 1986-1987. The expected overall duration of the programme is 12.5 years from beginning 1983 until mid-1995.

ANNEX II

I. *Overall envelope*

The overall envelope for the initial system described in Annex I is estimated at 400 million accounting units (MAU) (mid-1982 prices and 1983 conversion rates) over the period 1983 to 1995, broken down as follows:

- Maximum amount of expenditure incurred by the Agency 378 MAU
- Eumetsat Secretariat (10.5 years) 10 MAU
- Eumetsat contingency margin 12 MAU

II. *Scale of contributions*

The Member States shall contribute to the expenditure of Eumetsat in accordance with the following scale of contributions:

<i>Member State</i>	<i>%</i>	<i>Member State</i>	<i>%</i>
Germany	21,00	Italy	11,00
Austria		Norway	0,50
Belgium	4,00	Netherlands	3,00
Denmark	0,50	Portugal	0,30
Spain	4,50	United Kingdom	14,40
Finland	0,30	Sweden	0,93
France	22,00	Switzerland	2,60
Greece	0,30	Turkey	0,50
Ireland	0,10		

¹ See note 1, p. 19 of this volume.

EN FOI DE QUOI les Plénipotentiaires soussignés, dûment autorisés à cet effet, ont signé la présente Convention.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having been duly authorised thereto, have signed this Convention.

FAIT à Genève, le vingt-quatre mai mil neuf cent quatre-vingt-trois

DONE at Geneva, on the twenty-fourth May nineteen hundred and eighty-three

dans les langues anglaise et française, ces deux textes faisant également foi, en un exemplaire original unique qui sera déposé dans les archives du Gouvernement de la Confédération suisse, lequel en délivrera des copies certifiées conformes à tous les Etats signataires ou adhérents.

in the English and French languages, both texts being equally authoritative, in a single original which will be deposited in the archives of the Government of the Swiss Confederation, which shall transmit certified copies to all signatory and acceding States.

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

[HANS ARNOLD]¹

Sous réserve de ratification²

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

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

Sous réserve de ratification²

[A. ONKELINX]

¹ Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement suisse — Names of signatories appearing between brackets were not legible and have been supplied by the Government of Switzerland.

² Subject to ratification.

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

[ERIK THRANE]
Not subject to ratification¹
17.I.1984

Pour l'Espagne :
For Spain:

[ALFONSO DE LA SERNA]

Pour la Finlande :
For Finland:

[RICHARD TÖTTERMAN]
Sous réserve de ratification²
28.IX.1983

Pour la République française :
For the French Republic:

[JEAN LABROUSSE]
Sous réserve d'approbation³

Pour la République de Grèce :
For the Greek Republic:

[D. VELISSAROPOULOS]
Sous réserve de ratification²
13.XII.1984

¹ Sans réserve de ratification.

² Subject to ratification.

³ Subject to approval.

Pour l'Irlande :
For Ireland:

[EAMON HICKEY]
Subject to ratification¹
[7/VIII/1984]²

Pour la République italienne :
For the Italian Republic:

[MARIO SCIALOJA]
Subject to ratification¹

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

[B. P. SYVERTSEN]
Subject to ratification¹

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

[F. VAN DONGEN]
Subject to ratification¹

Pour le Portugal :
For Portugal:

[FERNANDO JOSÉ REINO]
Sous réserve de ratification³

¹ Sous réserve de ratification.

² Se lit « 7 août 1984 » — Reads "7 August 1984".

³ Subject to ratification.

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

[JOHN MASON]

Subject to ratification¹

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

[LARS AG]

Subject to ratification¹

Pour la Confédération suisse :
For the Swiss Confederation:

[A. JUNOD]

Sous réserve de ratification²

Pour la Turquie :
For Turkey:

[C. ÖZGÜL]

Ad referendum

Subject to ratification¹

¹ Sous réserve de ratification.

² Subject to ratification.

DECLARATION MADE
UPON SIGNATURE

NETHERLANDS

“The rate of contribution of 3% of the Kingdom of the Netherlands is bound to the overall envelope for the initial system, i.e., to the 400 MAU as laid down in Annex II to the Convention; this rate is not subject to a proportional increase in case at the time of entry into force of the Convention the 400 MAU are not fully covered.”

DÉCLARATION FAITE
LORS DE LA SIGNATURE

PAYS-BAS

[TRADUCTION — TRANSLATION]

Le taux de la contribution du Royaume des Pays-Bas, à savoir 3 p. 100, est lié à l'enveloppe financière globale pour le système initial, c'est-à-dire aux 400 millions d'unités de compte (UC) prévus à l'annexe II à la Convention; ce taux ne pourra faire l'objet d'augmentations proportionnelles si, lors de l'entrée en Convention, les 400 millions d'unités de compte ne sont pas pleinement couverts.

FINAL ACT OF THE CONFERENCE OF PLENIPOTENTIARIES FOR THE ESTABLISHMENT OF A EUROPEAN ORGANISATION FOR THE EXPLOITATION OF METEOROLOGICAL SATELLITES ("EUMETSAT")¹

1. An Intergovernmental Conference on an operational Meteosat system met in Paris on 28 and 29 January 1981 at the Headquarters of the European Space Agency. The Conference adopted a Resolution under which it was agreed in particular to set up a working group to draw up the legal texts relating to the establishment of an operational Meteosat system and propose the convening of a Conference of Plenipotentiaries.

2. The Working Group set up a technical sub-group and an institutional sub-group.

3. The Intergovernmental Conference held a second session on 21, 22 and 23 March 1983 and heard a report on the result of the Group's work. It approved the documents drafted by the Group and recommended the convening of a Conference of Plenipotentiaries for the adoption of the Convention for the Establishment of a European Organisation for the Exploitation of Meteorological Satellites (called "Eumetsat").

4. At the invitation of the Government of Switzerland and following consultation with the Chairman of the Intergovernmental Conference, a Conference of Plenipotentiaries for the establishment of a European Organisation for the Exploitation of Meteorological Satellites met in Geneva on 24 May 1983.

5. The following were represented:

(a) The Governments of the following States:

By delegates: Belgium, Denmark, Spain, France, Italy, Norway, Netherlands, Portugal, Federal Republic of Germany, United Kingdom, Sweden, Switzerland, Turkey.

By observers: Finland, Greece, Ireland.

(b) The following international organisation, in an observer capacity: the European Space Agency.

6. The Conference constituted its Bureau as follows:

Chairman: Mr. Sir John Mason (United Kingdom)

Secretary: Mr. Junod (Switzerland)

and established a Credentials Committee under the chairmanship of Mr. Deloz (Belgium) assisted by Mr. Carnelutti (France) and Mr. Mohr (Federal Republic of Germany).

The Conference adopted the report of the Credentials Committee.

7. The Conference adopted the report by the Chairman of the Intergovernmental Conference.

8. The Conference considered the arrangements made with a view to the commissioning of the system. It welcomed the assistance afforded by the European Space Agency to enable the advance start-up of the Meteosat operational

¹ Published for information.

system and noted the legal texts drafted to that end. The Conference noted that the European Space Agency had been entrusted with establishing and exploiting the operational Meteosat system and that, to that end, a complementary Arrangement would need subsequently to be concluded between Eumetsat and the European Space Agency.

9. The Conference approved the text of the Convention for the Establishment of a European Organisation for the Exploitation of Meteorological Satellites, called "Eumetsat", and opened it for signature.

10. The Conference adopted the attached Resolutions.

RESOLUTION No. 1

The Conference,

Agrees to open for signature this day the Convention for the Establishment of a European Organisation for the Exploitation of Meteorological Satellites;

Invites the Governments represented at the Conference to sign the said Convention and requests them to take the necessary measures to ratify it as soon as possible.

RESOLUTION No. 2

The Conference,

Noting the unanimous wish for an immediate start-up of the Meteosat operational programme,

Aware of the delays entailed by the ratification of the Convention opened for signature this day,

Welcoming the agreement of the European Space Agency to provide the legal framework for the advance start-up of the Meteosat operational system and

Noting the legal texts drawn up to that end,

Invites any Government represented at the Conference that has not yet notified the European Space Agency of its acceptance of the legal texts drawn up under the latter's auspices to do so forthwith by signing the Eumetsat Convention.

EN FOI DE QUOI les Plénipotentiaires soussignés, dûment autorisés à cet effet, ont signé le présent Acte final.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having been duly authorised thereto, have signed this Final Act.

FAIT à Genève, le vingt-quatre mai mil neuf cent quatre-vingt-trois

DONE at Geneva, on the twenty-fourth May nineteen hundred and eighty-three

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

[HANS ARNOLD]

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

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

[A. ONKELINX]

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

[ERIK BUSCH]

Pour l'Espagne :
For Spain:

[ALFONSO DE LA SERNA]

Pour la Finlande :
For Finland:

Pour la République française :
For the French Republic:

[JEAN LABROUSSE]

Pour la République de Grèce :
For the Greek Republic:

Pour l'Irlande :
For Ireland:

Pour la République italienne :
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[MARIO SCIALOJA]

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Pour la Confédération suisse :
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Pour la Turquie :
For Turkey:

[C. ÖZGÜL]
