

PROTOCOL
ON THE PRIVILEGES AND IMMUNITIES
OF THE EUROPEAN ORGANISATION FOR THE EXPLOITATION
OF METEOROLOGICAL SATELLITES
(EUMETSAT)

Provisions amended pursuant to the decision of the 48th meeting of the EUMETSAT Council, held on 25 and 26 June 2001, and entered into force on 1st January 2004

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Director-General

PREAMBLE

The States parties to the Convention for the Establishment of a European Organisation for the Exploitation of Meteorological Satellites (EUMETSAT), opened for signature at Geneva on 24 May 1983, as amended by the Amending Protocol attached to Council Resolution EUM/C/Res. XXXVI, which entered into force on 19 November 2000 (hereinafter referred to as the "Convention");

WISHING to define the privileges and immunities in accordance with Article 13 of the Convention;

ARTICLE 1**USE OF TERMS**

For the purposes of this Protocol:

- f) "staff members" means the Director-General and all persons employed by EUMETSAT, holding permanent appointments and who are subject to its Staff Rules;
- g) "expert" means a person other than a staff member appointed to carry out a specific task on behalf of EUMETSAT and at its expense.

ARTICLE 4**IMMUNITY FROM JURISDICTION AND EXECUTION**

- 1 Within the scope of its official activities, EUMETSAT shall have immunity from jurisdiction and execution, except:
 - c) in respect of the execution of an arbitration award made under Article 21, 22 or 23 of this Protocol or Article 15 of the Convention;
- 2 The property of EUMETSAT, wherever located, shall be immune

ARTICLE 11**DIRECTOR-GENERAL**

In addition to the privileges and immunities provided for staff members under Article 10, the Director-General shall enjoy:

ARTICLE 14**WAIVER**

- 2 The Director-General has the duty to waive the immunity of a staff member or an expert in all cases wherever retaining it would impede the course of justice and it can be waived without prejudicing the interests of EUMETSAT. In the case of the Director-General, the Council is competent to waive such immunity.

ARTICLE 15**NOTIFICATION OF STAFF MEMBERS AND EXPERTS**

The Director-General of EUMETSAT shall at least once every year notify the Member States of the names and nationalities of the staff members and experts.

ARTICLE 22**SETTLEMENT OF DISPUTES CONCERNING DAMAGE,
NON-CONTRACTUAL RESPONSIBILITY OR STAFF MEMBERS AND EXPERTS**

Any Member State may submit to arbitration in accordance with the procedure provided for in Article 15 of the Convention any dispute

ARTICLE 23**SETTLEMENT OF DISPUTES CONCERNING THE INTERPRETATION
OR APPLICATION OF THIS PROTOCOL**

Any dispute between EUMETSAT and a Member State or between two or more Member States concerning the interpretation or application of this Protocol which is not settled by negotiations or through the Council shall, at the request of any party to the dispute, be submitted to arbitration in accordance with the procedure provided for in Article 15 of the Convention.

ARTICLE 24**ENTRY INTO FORCE, DURATION AND TERMINATION**

- 2 The Swiss Government shall notify all States that have signed or acceded to the Convention and the Director-General of EUMETSAT of the signatures, of the deposit of any instrument of ratification, acceptance, approval or accession, the entry into force of this Protocol, any denunciation of this Protocol, and of its expiry. Upon the entry into force of this Protocol, the depositary shall register it with the Secretary General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

- 6 Any denunciation of the Convention by a Member State in accordance with Article 19 of the Convention shall automatically imply denunciation by that State of this Protocol.