HUNDRED-AND-TWELFTH SESSION OF THE COUNCIL

EXTRAORDINARY SESSION

Geneva - 11 March 1999 – 2 p.m.

DRAFT COUNCIL RESOLUTION CONCERNING

THE ACCESSION OF BULGARIA
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THE COUNCIL.

CONSIDERING:

The interest of both Bulgaria and CERN in Bulgaria's accession as a Member State of the Organization;

The letters addressed to CERN since 1990 by the Government of the Republic of Bulgaria and in particular its application dated 31 October 1997;

The visit made to Bulgaria by a CERN Delegation on 15 May 1998 and the report thereto related,


The mentions in the "Joint Declaration" concerning in particular the expected level of support inside Bulgaria amounting to 30% of the Bulgarian contribution to CERN, the internal Bulgarian Coordination Commission to be established and to be chaired by the Deputy Minister responsible for international relations and Bulgaria's agreement to provide an annual report on this matter during its first five years of membership;

The documents CERN/CC/2229 entitled:"Bulgaria and potential new Member States" and CERN/CC/2266, entitled "Accession of Bulgaria to CERN".
The alternative proposal presented by the Director-General at the meeting of Committee of Council of 10 December 1998, concerning the financial arrangements for the calculation of Bulgaria's contribution, as laid down in the letter of 15 December 1998, addressed by Professor L. MAIANI, Director-General designate, to the Deputy Prime Minister and Minister of Education and Science of the Bulgarian Government V. METODIEV;

The answer addressed to CERN by the Deputy Prime Minister and Minister of Education and Science of the Bulgarian Government V. METODIEV, on 5 January 1999, accepting the terms of the alternative proposal for the calculation of the Bulgarian contribution;

CONSIDERING ALSO:


DECIDES AS FOLLOWS:

ARTICLE I

1. Bulgaria shall be admitted to the Organization by unanimous vote of all the Member States.

2. Bulgaria shall become a Member State of the Organization by acceding to the Convention in conformity with Article XVII of the Convention.

ARTICLE II

1. Bulgaria shall participate in the basic programme of the Organization.

2. The Council, having regard to the Bulgarian Government's application, to the above-mentioned Joint Declaration and to the letters exchanged between CERN and the Bulgarian Government on 15 December 1998 and
5 January 1999, agrees to the following financial arrangement for the calculation of the Bulgarian contribution:

The contribution of Bulgaria will be set:

For the year 1999, on the basis of the 1997 GDP

For the year 2000, on the basis of the 1998 GDP

From 2001 onwards, on the basis of the usual CERN rules.

3. These contributions shall cover all the financial obligations due by Bulgaria as an acceding State, according to Article VII of the Convention.

4. The contribution from Bulgaria shall be subject to the Organization's financial and budgetary rules.

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ANNEX

CERN/CC/2266
Original : English
24 February 1999

ORGANISATION EUROPÉENNE POUR LA RECHERCHE NUCLÉAIRE
CERN EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

COMMITTEE OF COUNCIL
Two-hundred-and-thirty-seventh Meeting
Geneva – 11 March 1999

ACCESSION OF BULGARIA TO CERN
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1. Following Bulgaria's discussions with CERN regarding possible membership since 1991 (CERN/CC/2229, page 3), the Committee of Council discussed, on 19 March 1998, the accession of this country to CERN, while reaffirming the conditions under which new Member States could be admitted (CERN/CC/2083).

2. On 17-19 May 1998, a CERN delegation went to Sofia and reported positively to the Committee of Council in June 1998 on the Bulgaria's scientific and industrial capacity to use CERN (CERN/CC/2246). It was however underlined that the question of the Bulgaria's financial contribution to CERN should be further explored.

3. These questions were discussed during the visit to CERN of the Bulgarian Deputy Prime Minister and Minister of Education and Science, M. V. Metodiev on 29 September 1998. These talks have resulted in a "Joint Declaration between the Deputy Prime Minister and the Minister of Education and Science of Bulgaria. V. Metodiev and the Director-General of CERN, C.H. Llewellyn Smith" (CERN/CC/2256, Annex I).

4. The Committee of Council rediscussed the matter at its meeting of 10 December 1998 following a report by the Director-General on the visit and its outcome (CERN/CC/2256). Taking into consideration the difficulties relating to the calculation of the Bulgarian gross domestic product (GDP) for the two coming years, the Director-General proposed an alternative solution, which was found acceptable, for the calculation of the Bulgarian contribution to the CERN budget:

   for 1999, on the basis of the 1997 GDP

   for 2000, on the basis of the 1998 GDP

   for 2001 onward, on the basis of the usual CERN Rules.
5. On the Bulgarian side, this proposal has now been approved by the Deputy Prime Minister V. Metodiev in his letter to the Director-General dated 5 January 1999, which was forwarded to the Council Delegates by the President of Council on 4 February 1999.

6. As a result of the replies received from the Delegations to the letter of the President of Council, the accession of Bulgaria will be examined by the Council at an extraordinary session, to be held on 11 March 1999, in accordance with the guidelines defined by the Committee of Council on 10 December 1998.

7. To that end, a "Draft Resolution concerning the accession of Bulgaria" (CERN/2267), containing the terms and conditions proposed for the accession of Bulgaria to the Organization, is now submitted to the Council.

8. Council's approval of this Resolution will constitute the admission provided for by Article III. 2 (a) of the CERN Convention ("Convention for the establishment of a European Organization for Nuclear Research, dated 1st July 1953, as amended on 17 January 1971). It is the preliminary step to Bulgaria's accession to CERN, which will be completed when this country has ratified the Convention and deposited its instruments of ratification with the Director-General of UNESCO, as provided for by Articles XVI and XVII of the CERN aforementioned Convention.

9. The Committee of Council is invited to recommend the Council to approve the Draft Resolution by a unanimous vote, to be taken by secret ballot.

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