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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 4.8.2008
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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

On a negotiation mandate authorizing the Commission to negotiate an agreement between the European Atomic Energy Community (Euratom) and the Department of Energy of the United States of America (USDOE) in the field of nuclear security research and development.

Proposal for a

COUNCIL DECISION

On a negotiation mandate authorizing the Commission to negotiate an agreement between the European Atomic Energy Community (Euratom) and the Department of Energy of the United States of America (USDOE) in the field of nuclear security research and development.

(presented by the Commission)

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

On a negotiation mandate authorizing the Commission to negotiate an agreement between the European Atomic Energy Community (Euratom) and the Department of Energy of the United States of America (USDOE) in the field of nuclear security research and development.

The European Atomic Energy Community (Euratom) and the Department of the Energy of the United States of America (USDOE) have been cooperating together since 1982 in order to improve and strengthen the methodologies and technologies necessary for the implementation of nuclear safeguards.

In 1995, the agreement was amended to include the commitment of the two partners to coordinate their respective activities in support for third countries. The main goal was then to ensure optimum collaboration between the programme of support for Russia and for other countries of the former Soviet Union carried out by the Joint Research Centre under the TACIS Programme and under similar programmes launched by the USDOE.

The development of the TACIS programme and the success of this collaboration led both partners to widen the field of their cooperation in numerous areas exceeding the context of nuclear safeguards, covering also activities related to research, development and training in the field of nuclear security. The Commission considers that this broadening of the scope necessitates an appropriate legal framework.

The importance assumed by security matters in the broad sense and the strengthening of transatlantic cooperation give a political context particularly favorable to this widened collaboration.

Such collaboration is already in place in the context of the Generation IV International Forum (GIF) and it is proposed to strengthen it in the context of the bilateral relations Euratom /USA.

In the light of the above, the Council is invited to:

- - Authorise the Commission to open and conduct negotiations with the USDOE, on a widening of the agreement of 1995, to include research, development and training in the field of nuclear security, by replacement of the latter and in accordance with Article 101, paragraph 2 of the Euratom Treaty.
- - Adopt the draft negotiation mandate in annex.

Proposal for a

COUNCIL DECISION

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 101, second paragraph, thereof,

Having regard to the memorandum of the Commission,

Whereas:

- (1) An agreement has been signed on 6 January 1995 between Euratom and the USDOE in the field of nuclear material safeguards research and development,
- (2) This agreement has to be amended to be widened to all the aspects of nuclear security research and development,
- (3) The Commission should be authorised to negotiate an agreement, which will replace the agreement of 1995,

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission is hereby authorised, complying with the mandate annexed to this decision, to negotiate an Agreement between the European Atomic Energy Community (Euratom) and the Department of the Energy of the United States of America (USDOE) in the field of nuclear security research and development. This Agreement will amend and replace the agreement signed on 6 January 1995.

Done at Brussels,

*For the Council
The President*

ANNEX

Draft negotiating mandate for a cooperation agreement between Euratom and the Department of the Energy of the United States of America (USDOE) in the field of nuclear security research and development

1. Subject

The objective of these negotiations is to amend the agreement of 1995 the field of which is limited to nuclear safeguards and in particular to extend its scope to nuclear security research and development. This agreement will be concluded in accordance with Article 101 paragraph 2 of the Euratom Treaty. This agreement will amend and replace the agreement signed on 6 January 1995.

2. Cooperation area

The cooperation under this agreement will cover research, development and training in the field of nuclear security. Particular attention will be paid to training and to the coordination of the programmes that both partners implement in support for third countries.

3 Implementation modalities

The implementation modalities will be taken up again of the agreement of 1995 on nuclear material safeguards research and development. They nevertheless will be adapted in the light of the experience gained since then.

4. Relations with the Member States

Generally, the Commission will ensure close coordination with the active Member States in the field of nuclear security research and development. Moreover, the Member States which are willing to do so could be associated to the implementation of this agreement, in accordance with the following modalities:

- Any Member State or any organisation falling within the competence of a Member State which would wish to cooperate with the USDOE in the field of nuclear security research, development and training will be able, in agreement with the Commission, to use this agreement by respecting its implementation modalities;
- The training activities which will be organised under this agreement will be opened to any Member State or any organisation falling within the competence of a Member State which would make a motivated request to the Commission and following the modalities which will be defined on a case by case basis.