



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.10.2004
COM(2004) 670 final

Proposal for a

COUNCIL DECISION

concerning the accession by the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 25 October 1993, Canada, Sweden, Ukraine and the United States of America concluded the Agreement to establish a science and technology centre in Ukraine (hereinafter “the Agreement”).
2. Through Council Regulation No 1766/98/EC and Commission Regulation No 2387/98/EURATOM, the European Community and the European Atomic Energy Community (hereinafter “the Communities”), acting as one party, acceded to the abovementioned Agreement.
3. The International Science and Technology Centre in Ukraine (hereinafter “the Centre”) acts as an intergovernmental organisation with its own legal capacity, in accordance with the laws and regulations of the parties. The objectives of the Centre are to give weapons scientists and engineers, particularly those who possess knowledge and skills related to weapons of mass destruction or missile delivery systems, in Ukraine and other CIS States, opportunities to redirect their talents to peaceful activities and contribute to the solution of national or international technical problems and to the wider goals of the transition to a market-based economy responsive to civil needs.
4. On 12 February 2004, the Republic of Moldova deposited with the Secretariat of the Centre the instrument of accession by Moldova to the Agreement to establish the Centre. In accordance with Article XIII of the Agreement, it is the responsibility of the Governing Board of the Centre to approve this accession.
5. Accession by the Republic of Moldova is in accordance with the objectives of the Agreement, as set out in Article II thereof and, in particular, the main objective of redirecting the talents of researchers of the countries of the former Soviet Union possessing knowledge and skills related to weapons of mass destruction. Accession by the Republic of Moldova is in line with the concern of the parties to increase the number of countries of the former Soviet Union within the STCU in a period including the transition to a market-based economy, the development of the disarmament process and the redirection of military-industrial and technical potential to civil purposes.
6. In accordance with Article 3(3) of Council Regulation No 1766/98/EC, for matters falling under Article XIII of the Agreement, the position of the Communities shall be determined by the Council and expressed as a general rule by the Presidency.
7. Having regard to the above, the Commission proposes that the Council:
 - should approve, on behalf of the Communities, accession by the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine, and the United States of America,
 - should authorise the Presidency of the Council to express this approval within the Governing Board of the Centre.

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concerning the accession by the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation No 1766/98/EC of 30 July 1998¹ concerning the accession by the European Community and the European Atomic Energy Community, acting as one party, to the Agreement to establish a science and technology science in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America², and in particular Article 3(1)(3) and (4) thereof,

Having regard to Commission Regulation No 2387/98/EURATOM³ of 3 November 1998 concerning the accession by the European Atomic Energy Community and the European Community, acting as one party, to an Agreement having established in 1993 a science and technology centre in Ukraine between Canada, Sweden, Ukraine and the United States of America, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,⁴

Whereas:

- (1) On 25 October 1993, Canada, Sweden, Ukraine and the United States of America concluded the Agreement to establish a science and technology centre in Ukraine (hereinafter “the Agreement”).
- (2) Through Council Regulation No 1766/98/EC and Commission Regulation No 2387/98/EURATOM, the European Community and the European Atomic Energy Community (hereinafter “the Communities”), acting as one party, acceded to the abovementioned Agreement.

¹ OJ L 225, 12.8.1998, p. 2.

² OJ L 225, 12.8.1998, p. 5.

³ OJ L 297, 6.11.1998, p.4.

⁴ OJ C , , p. .

- (3) On 12 February 2004, the Republic of Moldova deposited with the Secretariat of the Centre the instrument of accession by Moldova to the Agreement to establish the Centre. In accordance with Article XIII of the Agreement, it is the responsibility of the Governing Board of the Centre to approve this accession.
- (4) The Communities are represented on the Governing Board of the Centre by the Presidency of the Council and by the Commission. The position of the Communities with regard to questions arising under Article XIII of the Agreement is determined by the Council and expressed as a general rule by the Presidency,

HAS DECIDED AS FOLLOWS:

Article 1

The accession of the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America, is hereby approved on behalf of the Communities.

Article 2

The Presidency of the Council shall express within the Governing Board of the Centre the approval of the Communities to the accession of Ukraine to the Agreement.

Done at Brussels,

*For the Council
The President*