



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 31 May 2007
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject : Council Decision concerning the conclusion on behalf of the European Community of the Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation and of the Protocol on Claims, Legal Proceedings and Indemnification to that Framework Agreement

COUNCIL DECISION

of

**concerning the conclusion on behalf of the European Community
of the Framework Agreement
on a Multilateral Nuclear Environmental Programme
in the Russian Federation
and of the Protocol on Claims, Legal Proceedings and Indemnification
to that Framework Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 181a(3) in conjunction with Article 300(2) first sentence thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament¹,

¹ Opinion delivered on 25.4.07 (not yet published in the Official Journal).

Whereas:

- (1) The Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation (MNEPR) and the Protocol on Claims, Legal Proceedings and Indemnification to that Framework Agreement were signed in Stockholm on 21 May 2003.
- (2) The Framework Agreement was signed by the European Community, the European Atomic Energy Community, Norway, Sweden, Denmark, Finland, Belgium, France, Germany, the United Kingdom, the Netherlands and Russia.
- (3) The Framework Agreement establishes a multilateral legal framework for nuclear-related projects carried out by western countries in north-west Russia, and the Protocol on Claims, Legal Proceedings and Indemnification aims to settle liability issues arising from activities undertaken in this context.
- (4) The Framework Agreement is designed to facilitate projects addressing problems regarding radioactive waste and spent nuclear fuel, decommissioning of nuclear submarines and icebreakers in the Russian Federation. It is focusing initially on the north-west region, but states that the MNEPR may also apply to projects or any other form of cooperation in other areas of nuclear activities, including nuclear safety, if so agreed by the Parties concerned.

- (5) The bilateral Memorandum of Understanding signed between the European Commission on behalf of the Communities and the Russian Federation in 1995, covering the implementation of the Technical Assistance Programmes in the Field of Nuclear Safety and which address nuclear liability issues will not be applicable to projects under the new Instrument for Nuclear Safety Cooperation.
- (6) All the Member States which have signed the Framework Agreement have now deposited their ratification instruments with the Depositories, the last one being the United Kingdom which ratified the Framework Agreement in April 2006.
- (7) The European Community is now in a position to conclude the Framework Agreement.

HAS ADOPTED THIS DECISION:

Article 1

1. The Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation and the Protocol on Claims, Legal Proceedings and Indemnification to that Framework Agreement are hereby concluded on behalf of the European Community.
2. The texts of the Framework Agreement and the Protocol are attached to this decision.*

* See 9558/03.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit the instrument of conclusion with the Secretary General of the Organisation for Economic Cooperation and Development in accordance with Articles 17 and 18 of the Framework Agreement.

Article 3

This decision shall be published in the *Official Journal of the European Union*.

It is addressed to the Member States.

Done at Brussels,

For the Council
The President

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