

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/178/CFSP

of 19 March 2007

in support of chemical weapons destruction in the Russian Federation in the framework of the EU Strategy against Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part ⁽¹⁾ promotes, *inter alia*, an increasing convergence of positions on international issues of mutual concern thus increasing security and stability.
- (2) The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction entered into force in the Russian Federation on 5 December 1997.
- (3) On 25 and 26 June 2002 in Kananaskis the G8 launched the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, under which they decided to support specific cooperation projects, initially in the Russian Federation, to address non-proliferation, disarmament, counter-terrorism and nuclear-safety issues.
- (4) Council Joint Action 1999/878/CFSP of 17 December 1999 established an EU cooperation programme for

non-proliferation and disarmament in the Russian Federation ⁽²⁾, which was continued by Joint Action 2003/20472/CFSP ⁽³⁾ which expired on 24 June 2004. Decision 2001/20493/CFSP ⁽⁴⁾, implementing Joint Action 1999/878/CFSP, included a first project in support of infrastructure building related to the destruction of nerve gases stored in Shchuch'ye (Russian Federation). This project was finalised on 28 January 2005.

- (5) The European Union continues to support the aim and principles of the G8 Global Partnership initiative and continues to promote cooperative threat reduction activities and the safe and secure dismantlement of WMD-related resources in the Russian Federation.
- (6) A multi-donor project to provide assistance towards the destruction of Chemical Weapons at Shchuch'ye is underway, coordinated by the United Kingdom. Delivery of related equipment is scheduled for 31 October 2007.
- (7) The European Union continues to support the Russian Federation in her pursuit of a safe and environmentally sound dismantlement or reconversion of infrastructure, equipment and scientific capabilities linked to weapons of mass destruction (WMD).
- (8) On 12 December 2003 the European Union adopted its strategy against Proliferation of Weapons of Mass Destruction which, *inter alia*, promotes a stable international and regional environment, as a condition for the fight against the proliferation of WMD.

⁽¹⁾ OJ L 327, 28.11.1997, p. 3. Agreement as last amended by Agreement of 9 July 2002 (OJ L 9, 15.1.2004, p. 22).

⁽²⁾ OJ L 331, 23.12.1999, p. 11. Joint Action as amended by Decision 2002/381/CFSP (OJ L 136, 24.5.2002, p. 1).

⁽³⁾ OJ L 157, 26.6.2003, p. 69.

⁽⁴⁾ OJ L 180, 3.7.2001, p. 2.

- (9) The European Union activities in support of the Global Partnership will take place in parallel with activities by others and will be coordinated to the greatest possible extent to avoid unnecessary duplication.
- (10) The Commission should be entrusted with the supervision of the proper implementation of the EU financial contribution,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. The objective of this Joint Action is to support the Russian Federation in its efforts to destroy its chemical weapons stockpiles under its obligations resulting from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

2. This Joint Action shall contribute to the construction of the Shchuch'ye chemical weapon destruction facility in the Russian Federation. Details of the specific project are set out in the Annex to this Joint Action.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP (SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated.

2. The technical implementation of the project referred to in Article 1(2) is entrusted to the Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, (hereinafter referred to as the Secretary of State) who shall perform his tasks under the responsibility of the Presidency, assisted by the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the Secretary of State.

Article 3

1. The financial reference amount for the project referred to in Article 1(2) is EUR 3 145 000 to be funded from the 2007 general budget of the European Union.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the European Community procedures and rules applicable to the general budget of the European Union with the exception that any pre-financing shall not remain the property of the Community. Expenditure shall be eligible as of the date of entry into force of this Joint Action.

3. The Commission shall supervise the proper implementation of the EU contribution referred to in paragraph 1. For this purpose, it will conclude a Financing Agreement with the Secretary of State on conditions for the use of the EU contribution. The financing agreement to be concluded shall stipulate that the Secretary of State is to ensure visibility of the EU contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Joint Action. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of reports to be provided by the Secretary of State. The Commission shall be fully associated and shall provide information on the financial implementation of the project as referred to in Article 3(3).

Article 5

The Council may decide to suspend the project if the Russian Federation fails, in particular:

- (a) to cooperate fully in the implementation of this Joint Action;
- (b) to allow monitoring by the European Union and/or periodical external evaluations and audits to that effect;
- (c) to meet its obligations under the Agreement on Partnership and Cooperation establishing a Partnership between the European Communities and the Member States on one part and the Russian Federation of the other part.

Article 6

This Joint Action shall enter into force on the day of its adoption.

It shall expire 18 months after the conclusion of the Financing Agreement between the Commission and the Secretary of State.

Article 7

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

Done at Brussels, 19 March 2007.

For the Council
The President
Horst SEEHOFER

ANNEX

EU — RUSSIA CHEMICAL WEAPONS DESTRUCTION PROJECT IN SHCHUCH'YE**1. Objective**

To assist the Russian Federation in destroying some of its chemical weapons, towards fulfilment of Russia's obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction.

2. Project description

The Joint Action shall commit funding in support of the Shchuch'ye chemical weapon destruction facility in the Russian Federation and thereby contribute to the destruction of 1 900 000 million artillery and rocket munitions containing some 5 500 tonnes of nerve agents, which are stored at Shchuch'ye awaiting destruction.

This Joint Action will support the requirement to complete the electricity supply infrastructure at Shchuch'ye chemical weapon destruction facility. It will fund the procurement and delivery of major items of equipment which will subsequently be installed at the Shchuchanskaya, Shumikha and Kurgan electricity substations located near the town of Shchuch'ye and the destruction facility, in order to provide a reliable power supply for the operation of the chemical weapon destruction facility. This equipment is essential for the completion of the electricity supply and has been selected in order to ensure coherence with past EU projects and appropriate visibility of the EU funding contribution. The project will be completed and ownership of the equipment will be transferred to the Russian authorities by the end of 2007.

Construction of the destruction facility at Shchuch'ye is due to be completed, and operations are due to start, in mid-2008.

This Joint Action forms part of the EU's commitment under the Global Partnership and shall complement and reinforce the value of the earlier project funded by the EU at Shchuch'ye.

3. Duration

The equipment procurement phase of the project will start on the day of the conclusion of the Financing Agreement between the Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, and the Commission. The UK plans to fund the associated construction and installation work, subject to agreement of satisfactory prices.

The estimated duration of the project is 18 months.

4. Beneficiary

The Russian Federation.

5. Implementing entity

The Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, will be responsible for the implementation of the project.

The implementing entity will prepare:

— A mid-term report after the first six months of the implementation of the project

— A final report one month before the end of the implementation of the project

Reports will be sent to the Presidency, assisted by the Secretary General of the Council/High Representative for the CFSP.

6. Estimated required means

This Joint Action will fund the following items for which there are firm prices in pounds sterling, but which are set out below converted to EUR at the current exchange rate:

Serial	Description	Price
10	Relay panel for power line protection at Shchuchanskaya substation	
10c	Supplier's on-site installation support services	
11	Equipment for Shchuch'ye Regional Electricity Supply Station including 18 m ² control panel and computing system	
15	Electricity dispatch control equipment for the local energy supplier KurganEnergo. Includes 50 m ² control panel, computer control system for Zapadnyy substation and dispatch control equipment for various other related substations	
24	Cabinet for protection of 220 kV busbar at Shumikha substation	
	Sub-total	EUR 3 034 680
	Bank charges	EUR 1 000
	National Audit Office audit	EUR 6 000
	Missions for Secretary of State (for visits to Shchuch'ye related only to the EU project, if necessary)	EUR 10 000
	Sub-total	EUR 3 051 680
	Contingencies (around 3 % of the project cost)	EUR 93 320
	Total	EUR 3 145 000

7. Financial reference amount to cover the total cost of the project

The total cost of the project is EUR 3 145 000.