COUNCIL JOINT ACTION

of 17 December 1999

establishing a European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation

(1999/878/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Common Strategy of the European Union on Russia [1] adopted by the European Council on 4 June 1999 which *inter alia* expressed the European Union's commitment to promote disarmament and curbing of the profileration of weapons of mass destruction (WMD), support for arms control, the implementation of existing agreements and the strenthening of export controls,

Having regard to the Treaty on European Union (TEU), and in particular Article 14, in conjunction with Article 23(2) thereof,

Whereas:

(1) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of one part, and the Russian Federation, of the other part [2] promotes *inter alia* an increasing convergence of positions on international issues of mutual concern thus increasing security and stability;

(2) The Union is prepared to promote cooperative risk reduction activities and the safe and secure dismantlement of WMD-related resources in Russia;

(3) Such activities would take place in parallel with activities carried out by the European Community and bilaterally by the Member States;

(4) All such activities should be coordinated to the greatest possible extent to avoid unnecessary duplication;

(5) European Union activities can also be undertaken in cooperation with other countries;

(6) The Commission has agreed to be entrusted with certain tasks necessary for the implementation of this Joint Action,

HAS ADOPTED THE FOLLOWING JOINT ACTION:

Article 1

1. A European Union Cooperation Programme for non-profileration and disarmament in the Russian Federation (hereinafter referred to as 'the Programme') is hereby established.

2. The objective of the Programme is to support the Russian Federation in its efforts towards arms control and disarmament and, to that end:

— to cooperate with the Russian Federation in the latter's pursuit of a safe, secure and environmentally sound dismantlement and/or reconversion of infrastructure and equipment linked to its WMD;

— to provide a legal and operational framework for an enhanced European Union role in cooperative risk reduction activities in the Russian Federation through project-orientated cooperation;

— to promote coordination as appropriate of programmes and projects in this field at Community, Member State and international level.

Article 2

1. The Programme shall contribute in the first phase to:

— a chemical weapons pilot destruction plant situated in Gorny, Saratov region, Russia;

— a set studies and experimental studies on plutonium transport, storage and disposition;

A full description of the activities above is set out respectively in Annexes I and II.

2. Other projects to be funded under the Programme (in the biological, chemical and nuclear fields) in the future shall be determined by the Council, on a recommendation of a Member State and/or the Commision.

Article 3

1. The Council shall entrust the Commission, for the duration of the Programme and subject to Article 5, with the task of preparing the projects to be approved, as well as with supervising their proper implementation. The Commission shall report to the Council, on a regular basis and as the need arises, under the authority of the Presidency assisted by the Secretary-General of the Council, High Representative for the CFSP.

2. The Commission shall be assisted by a unit of experts. The number of members of the unit and the expertise required from them, as well as a definition of their tasks are set out in the terms of reference appearing in Annex III. The Commission shall establish as appropriate a Task Force in Moscow, in order to:

— operate in close coordination with personnel working under Community funded projects;

— as appropriate, carry out feasibility studies;

[1] OJ L 157, 24.6.1999, p. 1.
[2] OJ L 327, 28.11.1997, p. 3.

— liaise with the local authorities and with the representatives of other contributing countries;
— negotiate with the local authorities the arrangements necessary for the implementation of the Programme;
— monitor the expenditure of the funds committed for the implementation of the Programme;
— assist Member States in identifying and implementing bilateral projects.

Article 4

1. The financial reference amount intended to cover the costs related to the establishment of the Programme shall be as follows:
— EUR 8 900 000 for the years 1999 and 2000.

2. The expenditure financed by the amounts stipulated in paragraph 1 shall be managed in accordance with the European Community procedures and rules applicable to the budget

3. The European Union shall finance the infrastructure and current expenditure of the Programme.

4. The Council notes that the Commission intends to direct its action towards achieving the objectives and the priorities of this Joint Action, where appropriate by pertinent Community measures.

5. The Council and the Commission shall ensure appropriate coordination between the Programme, Community assistance and the bilateral assistance provided by the Member States.

6. This Joint Action shall be the subject to bilateral consultations with Russia and other partners within the framework of existing political dialogue meetings.

Article 5

1. The Council shall review annually the actions taken pursuant to this Programme and shall take the necessary decisions for the continuation of the Programme beyond 31 December 2001. This review shall also assess Russian capabilities to absorb and utilise increased assistance.

2. Independent evaluations and audit shall be conducted at periodic stages, depending on progress.

3. The Council may suspend the Programme if the Russian Federation fails:
— to cooperate fully with the implementation of the programme;
— to allow European Union monitoring and/or periodical external evaluations and audit to that effect.

Article 6

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

It shall expire on the date of expiry of the European Union Common Strategy on Russia unless the Council decides otherwise in accordance with Article 5(1) of this Joint Action.

Article 7

This Joint Action shall be published in the Official Journal.

Done at Brussels, 17 December 1999.

For the Council
The President
K. HEMILÄ

ANNEX I

EU-Russia chemical weapons destruction project in Gorny

1. **Background**

In the framework of the implementation of the Chemical Weapons Convention (CWC), the Russian Federation is committed to construct an industrial pilot chemical weapons destruction facility at Gorny.

The facility at Gorny (Saratov region) is one out of seven sites in the Russian Federation earmarked for the destruction of chemical weapons. It is foreseen that the Gorny facility will process (destroy or recycle) 225 tonnes of lewisite, 690 tonnes of yperite and 210 tonnes of a lewisite-yperite mixture. This represents about 2,9 % of total stocks earmarked by Russia for destruction under the Chemical Weapons Convention.

The Chemical Weapons Convention stipulates the total elimination of chemical weapons by 2007. However, against the background of financial and economic problems the Russian Federation faces, this task is very complex and surely requires expanded international support in view of meeting the commitments taken under the convention.

The site comprises a destruction and detoxification processing line for the detoxification and recycling of specific mixtures. The technology for the destruction of lewisite on the basis of hydrolyse and electrolyse is established, leaving arsine as end-product to be further utilised for industrial purposes. Some technical problems concerning the destruction of yperite and yperite/lewisite mixture require some further research.

Russian legislation stipulates that the construction of related social infrastructure must precede the construction of the destruction facility itself. This law has been followed by the Gorny project. Much attention has been attached to confidence building measures, including the establishment of an environmental monitoring mechanism, and related projects to establish social acceptability of the destruction facility in the community. Measures comprise, among others, the purification of water for the facility and the village, air purification, housing for military officers, soldiers and workers, medical doctors and teachers. Delegations from Kambarka have visited the Gorny site. In particular, social acceptability measures are considered as standard setting and have contributed to change public opinion in Kambarka for the better.

The international community is assisting Russia in its efforts to implement the CWC. In particular at Gorny a Russia-Germany joint chemical weapons destruction project supports the establishment of the destruction facility since 1993. Gorny production principles will be replicated at the Kambarka facility, where the same types of weapons are stored and the same storage method applied. The Gorny facility plays thus an important role in catalysing chemical weapons destruction in selected other sites. 6 400 tonnes of chemical weapons will be destroyed in Kambarka. So far, 48,5 million DM was spent on the German side for engineering, materials and special equipment. Support is provided on the basis of annual appropriations firom the German Federal budget.

The Russian Federation takes over the funding of infrastructure, construction and deliveries. For the first time, in 1999, the Russian contribution to the project outweighed the German contribution considerably. All 1999 budgetary means earmarked for chemical weapons destruction were allocated to the Gorny project.

2. **Status of construction and agenda for the finalisation of the Gorny facility**

Progress has been evaluated and documented by the German side in August 1999. The report is very positive. Construction advances rapidly. The 'point of no return' was apparently passed. The finalisation of the lewisite destruction facility is foreseen for the end of 2000, and the finalisation of the yperite and lewisite/yperite mixtures destruction facility is foreseen for the end of 2001.

Currently, 50 — 60 % of equipment is already delivered and stored at the Gorny facility. Installation depends on the finalisation of relevant buildings. Construction has been completed up to about 90 %.

According to German assessments, additional funding in the order of EUR 15 million is required for purchase of equipment in the next two years to come. The Russian delegation clarified that the Russian Federation is fully committed to chemical weapons destruction. Swift foreign assistance can speed up the process and free funds for the remaining six sites on which parallel activities are being prepared.

As regards Gorny, the launch of chemical weapons destruction in April 2001 seems realistic (instead of 1999 as foreseen by the original master plan). According to Russian indications, this is due to the delayed ratification of the Chemical Weapons Convention and lack of budgetary resources.

A European project would be highly welcome by the Russian authorities in view of addressing specific bottlenecks in finalising the facility and making it operational.

3. **Components of the EU-Russia chemical weapons destruction project in Gorny**

The Commission hosted an ad hoc experts meeting on 19 November 1999 in Brussels. Russian and German experts and project managers agreed on three project components to be addressed and funded as a matter of priority, thus allowing smooth continuation of the project according to schedule. Project components were identified, in order of priority, as follows:

1999 EU-Russian Chemical Weapons Destruction Project Gorny

Component	Project Title	Cost estimate (in millions of euro)
Component 1	Final fitting and technical installation of equipment, establishment of connections (incl. pipes, electrical systems, canalisation...) and related engineering	Up to 1,65
Component 2	Purchase of filter boxes for air purification related to the chemical destruction process	Up to 2,9
Component 3	Special equipment for draining technological transportation containers from storage to destruction line	Up to 1,25

Further details:

Component 1: Main equipment parts are available. Construction of buildings ('building 1/1 ') is well advanced. Special expertise is required for the final installation and fitting of equipment and related connections. Supervision of works is to be contracted out to a European integrator. Sub-contracts are to be concluded by the European integrator with Russian companies for implementation purposes.

Component 2: Filter boxes are to be installed in view of limiting air pollution through by-products set free in the destruction and recycle process. Boxes include coal fillings and special equipment for filling/emptying the filters with coal.

Component 3: Given the high risks related to the transportation of chemical weapons of mass destruction, specific equipment is required for the transportation from interim storage at the facility to the destruction line.

Procurement: Components 2 and 3 are to be tendered according to EU procurement legislation. Given the technological and technical specifics of the equipment already delivered for the destruction line, Component 1 is to be contracted out on the basis of a direct agreement to the company that has produced and delivered the equipment to be installed. Final decision on the funding of the three components will be taken against the availability of sufficient financial resources under the Joint Action.

Project management: In order to ensure compatibility and complementarity of the EU-Russia Gorny chemical weapons destruction project with main Russia-Germany project, the management of the EU-Russia project is to be entrusted to the German project manager ('Auswärtiges Amt' (Foreign Office) in cooperation with 'Bundesamt für Wehrtechnik and Beschaffung' (Federal Office for Arms Technology and Procurement)) in close cooperation with the Ministry of Defence of the Russian Federation as a state customer for this facility. Close consultation with and regular reporting to the Head of the Policy and Project coordination section appointed under the Joint Action (Annex III) is to be ensured. The latter is to be associated to all bilateral meetings and consultations related to the EU-Russia project.

ANNEX II

EU-Russia Nuclear weapons related action

1. **Background**

The proper management of the weapons plutonium released by the disarmament is of critical importance in the framework of the non-proliferation objective.

The European Commission has, since 1993 and reinforced by the conclusions on plutonium management of the G8 NPEG meeting of Paris in October 1996, started discussions with the Russian Minatom (owner of the plutonium once released by the Ministry of Defence) with the objective of analysing the different ways of using the plutonium as fuel for reactors. Different study projects were financed, mainly through the International Science and Technology Centre. A coordination mechanism was established through a Contact Expert Group, assembling the concerned Russian organisations, western partners and representatives of other main international programs working with the Russians on the subject (France-Germany-Russian Federation (RF), United States-Russian Federation, Japan (J)-Russian Federation programmes).

As a result of this coordination activity, the Community is able to propose a specific set of studies and experimental studies which would clearly support the Russian side in proceeding on a timely basis with the disposition of their weapons grade plutonium.

2. **Set of studies and experimental studies**

2.1. *Drafting of a detailed Short Term Action Plan for the Pu disposition*

The political agenda (on going United States-Russian Federation negotiations and the discussions at the G8 NPEG level) considers the year 2008 to start the commercial operation of plants with fuel containing ex-weapons plutonium.

A workshop organised jointly by the Commission and Minatom end October 1999 has shown that different partial action plans were developed by different organizations within different programs, but that there is a clear need to assemble all the pieces, to establish consistency between the projects and to fill the gaps, in order to get a fully integrated, exhaustive and agreed (by all concerned) plan for action. Such a plan must include the licensing aspects and therefore must involve, as main players, the plant operators (who will have the responsibility of using plutonium in their reactors) and the safety authority (who will have the responsibility of authorising the plant operation with plutonium fuel).

The study supports the designated Russian organisations (in line with the share of responsibilities for licensing) in drafting such an integrated action plan. EU specialists having the expertise of designing, licensing and operating reactor fuel with plutonium would be contracted to work with the Russian counterparts.

The result could be the integrated, detailed and agreed action plan. Such a plan would then be recognised at international level, including at G8 level and foster the timely implementation of the political agenda.

Duration: 9 months, Budget: up to EUR 500 000.

2.2. *Support for defined Russian organisations to build their tools and expertise required for the licensing of short term plutonium disposition in Russia.*

There is no reason to wait for the action plan to be finalised to launch some specific studies and experimental studies which already today are recognised by specialists as being on the critical path for the timely achievement of the political agenda. Among them two might be retained:

— Support to the Russian side (MINATOM, IPPE, Kurchatov Institute) to design a required experimental critical facility (not existing today) to validate the use of plutonium as fuel for VVER reactors, and certify the calculation codes.

  Duration: 1,5 years, Budget: up to EUR 1 million.

— Support to the Russian side (MINATOM, RIAR) for irradiation experiments in existing research reactors. This would be particularly important to support the timely usage of lead test assemblies at the Balakovo reactors.

  Duration: 1 year, Budget: up to EUR 300 000.

2.3. *Study of the ways and means for transport and intermediate storage of the weapons grade Plutonium.*

The study would mainly analyse the technical feasibility for transport and storage in existing installations and/or in new purpose-built installations. The economic aspects (costs) and non-proliferation aspects (risks of diversion and safeguards requirements) would be analysed in depth. As a result recommendations would be made for the most effective and safest ways to transport and store the plutonium on an interim basis.

Duration: 1 year, Budget: up to EUR 200 000.

2.4. *Medium term perspective for plutonium disposition.*

The Gas Turbine Modular Helium Temperature Reactor (GT MHR) is an advanced development based on proven technology. Its ability to work without uranium (only plutonium) makes it highly efficient as plutonium burner. Moreover, it presents inherent safety characteristics and a high efficiency (50 %) for electricity and heat production.

Such a reactor is envisaged to be built at Tomsk to replace the Military Reactors still producing Weapons Plutonium and which can not be stopped as they also produce heat for the local community. An international Consortium grouping European Union, Russian, United States and Japanese industries has been created to support the development and the demonstration of key technologies, including on the fuel design side.

A specific analysis should be performed to determine the fuel and reactor design specifics required to maximise the effectiveness of plutonium burning. As a result, an action plan should be drafted allowing the definition of future priorities for further projects and supporting the decision on larger investments for the future development.

Duration: 1 year, Budget: up to EUR 300 000.

ANNEX III

Terms of Reference for a unit of experts under the EU Cooperation Programme for non-proliferation and disarmament in the Russian Federation

The Commission is entrusted with setting up a unit of experts under, and for the duration of, the EU Cooperation Programme for non-proliferation and disarmament in the Russian Federation, which will comprise a Policy and Project Coordination Section at the Commission in Brussels and a project assistance team based in Moscow, reporting to the Policy and Project Coordination Section at Brussels.

Experts for the Unit will be identified and appointed by the Commission. The decision will be taken in close cooperation with Member States and the Secretary General/High Representative (SG/HR), on the basis of job descriptions and selection criteria to be drafted by the Commission.

Required experts' qualifications would comprise the following elements:

The Policy and Project Coordination Section in Brussels will comprise 4 EU experts, including the Head of Section, to be administratively supported by one secretary. The Moscow based project assistance team will comprise one EU expert and one local Russian technical expert.

The Head of Section will assume overall responsibility for the implementation of the Joint Action. He will maintain close relations with the EU Presidency, the Member States and the SG/HR, according to detailed rules to be agreed upon.

Tasks related to policy and project coordination and development comprise *inter alia* the following:

— support coordination of assistance projects and related policies at Community and Member States levels;

— function as point of contact for international initiatives, supported by the Commission Joint Research Centre;

— establish a database of projects funded by the European Union and Member States;

— establish and maintain a database on EU experts, broken down by policy areas;

— establishing a network of Member States points of contact, supplementing the competent Council working groups as regards the implementation of the Joint Action and related activities;

— prepare and submit quarterly progress reports.

Sectoral tasks will cover *inter alia* the following:

— drawing up a comprehensive sector report;

— providing an in-depth analysis on sectoral core problems;

— identifying projects to address core problems;

— preparing projects to be submitted to the Council in view of possible future funding under follow-up measures to the Joint Action;

— finalising and implementing projects identified for funding, as appropriate, in close cooperation with the Moscow based project assistance team.

Specific tasks of the Moscow based project assistance team will comprise:

— close cooperation with personnel working under EU funded projects;

— as appropriate, support to the elaboration of feasibility studies;

— liaise with the local authorities and with the representatives of other contributing countries;

— negotiate with the local authorities the administrative arrangements necessary for the implementation of the Programme;

— assist Member States in identifying and implementing bilateral projects;

— facilitating specialised technical assistance.