



Brussels, 4.4.2016
COM(2016) 175 final

2016/0093 (NLE)

Proposal for a

COUNCIL DECISION

approving the conclusion, by the European Commission, of the Agreement between the European Atomic Energy Community and the Government of the Republic of India for research and development cooperation in the field of the peaceful uses of nuclear energy

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

During the EU-India Summit that took place in Marseille on 29 September 2008, a new EU - India Joint Action Plan was adopted, which stipulates that both Parties should "co-operate in civil nuclear research and development in a manner consistent with their international obligations."

Such a co-operation should be based on mutual interest, envisage access by each Party to the research activities of the other Party, as it is the case in the EU / India Science and Technology Agreement and cover the fields of research appearing in the European Atomic Energy Community (hereafter "Euratom") Framework Programme complementing Horizon 2020.

Directives for the European Commission to conduct negotiations on an Agreement between Euratom and India for co-operation regarding research and development in the field of the peaceful uses of nuclear energy were approved by the Council on 03 July 2009.

The Commission considers that the draft agreement enclosed to the present proposal is in conformity with the negotiating directives.

The proposed Agreement would have no financial consequences for the EU budget. Research activities under the Agreement would be financed under the Euratom framework programmes for research and development.

In the light of the above, the European Commission proposes that the Council adopts, in application of the second paragraph of Article 101 of the Treaty establishing the European Atomic Energy Community (hereafter "Euratom Treaty"), the annexed draft proposal for a Council decision for the conclusion, by the European Commission, of an Agreement for co-operation between the European Atomic Energy Community and the Government of the Republic of India regarding research and development cooperation in the field of the peaceful uses of nuclear energy.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Not applicable

3. LEGAL ELEMENTS OF THE PROPOSAL

The conclusion of this agreement is based on Article 101(2), of the Euratom Treaty.

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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 paragraph 2 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Commission has, in accordance with the Council Directives of 3 July 2009, conducted negotiations on an Agreement between the European Atomic Energy Community and the Government of the Republic of India for research and development cooperation in the peaceful uses of nuclear energy,
- (2) Those negotiations have now been successfully concluded,
- (3) The conclusion, by the European Commission, of the Agreement should be approved,

HAS ADOPTED THIS DECISION:

Sole Article

The conclusion, by the European Commission, of the Agreement between the European Atomic Energy Community and the Government of the Republic of India for research and development cooperation in the peaceful uses of nuclear energy, is hereby approved. The text of the Agreement is annexed to this decision.

Done at Brussels,

*For the Council
The President*