



European Commission
Directorate General TREN
Directorate H

Unit 1: Euratom Co-ordination and International Relations

Explanatory screening meeting

Chapter 15 Energy

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Euratom-

International Agreements and Conventions

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External relations

- ✧ **Legal basis:** Chapter 10 Euratom Treaty
- ✧ **Article 101** – “Euratom” agreements
- ✧ **Article 102** – Euratom-MS mixed agreements
- ✧ **Article 103** – Draft MS agreements
- ✧ **Article 105** – Notification by accession countries
- ✧ **Article 106** – Renegotiation of MS agreements



Article 101 Euratom Treaty (1)

- ✧ Community competence to conclude agreements with third States and International Organisations.
- ✧ Negotiation and Conclusion by the Commission with the approval of the Council.



Article 101 Euratom Treaty (2)

- ✧ **Bilateral agreements on peaceful uses of nuclear energy:**
 - ✧ Canada (1959), Australia (1981), USA (1996), Argentina (1997), Uzbekistan (2004), Ukraine (signed in 2005), Japan (signed in 2006).
 - ✧ Russia and Kazakhstan under negotiations.



Article 101 Euratom Treaty (3)

✧ Bilateral agreements on research & development (R&D):

- ✧ Canada (1998), USA (2001), Russia (2002), Ukraine (2002), Kazakhstan (2003).
- ✧ China (signed in 2004)
- ✧ Japan (under negotiations).



Article 101 Euratom Treaty (4)

✧ Safeguards agreements:

- ✧ NNWMS/Euratom/IAEA Agreement in connection with the Treaty on the Non-Proliferation of Nuclear Weapons INFCIRC/193 (1973).
- ✧ UK/Euratom/IAEA Agreement (1976).
- ✧ France/Euratom/IAEA Agreement (1978).
- ✧ Additional Protocols (entry into force on 30 April 2004).
- ✧ Euratom Cooperation Agreement with ABACC (Brazilian-Argentine Agency) (October 1999).



Article 101 Euratom Treaty (5)

✧ International Conventions:

- ✧ Convention on the Physical Protection of Nuclear Material (1991); under revision.
- ✧ Convention on Nuclear Safety (2000).
- ✧ Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management (2006).
- ✧ Convention on Early Notification of a Nuclear Accident (2006).
- ✧ Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency (2006).



Article 102 Euratom Treaty

- ✧ Agreements to which, in addition to the Community, one or more Member States are parties, shall not enter into force until the Commission has been notified by all the Member States concerned that those agreements have become applicable in accordance with the provisions of their respective national laws (mixed agreements).
- ✧ Example: Amendment to the Convention on the Physical Protection of Nuclear Material (signed July 2005).



Article 103 Euratom Treaty (1)

- ✧ Member States' Draft Agreements or Contracts with a third State / an international organisation/ a national of a third State:
 - ✧ MS must communicate the draft to the Commission.
 - ✧ If the draft contains clauses which impede the application of Euratom Treaty, the Commission shall, **within one month of receipt of such communication**, make its comments known to the MS concerned.



Article 103 Euratom Treaty (2)

✧ **MS shall not conclude the proposed agreement/contract until it has:**

- satisfied the objections of the Commission, or
- complied with a ruling by the Court of Justice on the compatibility of the proposed clauses with the Treaty.

✧ **Application to the Court of Justice at any time after the MS has received the comments of the Commission.**



Article 105 Euratom Treaty

- ✧ The provisions of the Treaty shall not be invoked so as to prevent the implementation of agreements concluded before its entry into force by new Member States if **such agreements communicated to the Commission not later than 30 days after the accession.**
- ✧ Exception: Agreements concluded between the signature of the Accession Treaty and its entry into force if an intention to evade the provisions of the Euratom Treaty.



Article 106 of the Euratom Treaty

✧ New Member States shall undertake jointly with the Commission the necessary renegotiations of the cooperation agreements in the nuclear field concluded before the accession in order to ensure that the rights and obligations arising out of such agreements shall as far as possible be assumed by the Community (folding-in).



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Thank you for your attention.

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