



Council of the
European Union

042270/EU XXVI. GP
Eingelangt am 13/11/18

Brussels, 13 November 2018
(OR. en)

13263/18

ATO 81
CONOP 95

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION approving the conclusion, by the European Commission, of the Agreement between the European Atomic Energy Community (Euratom) and the Korean Peninsula Energy Development Organisation (KEDO)

COUNCIL DECISION (EU, Euratom) 2018/...

of ...

**approving the conclusion,
by the European Commission, of the Agreement
between the European Atomic Energy Community (Euratom)
and the Korean Peninsula Energy Development Organisation
(KEDO)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community (Euratom), and
in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) With a view to the protection of Euratom's interests, membership of KEDO should continue beyond May 2015 in order to allow for a final settlement of legal and financial issues relating to the termination of KEDO's nuclear light water reactor project and an orderly winding up of KEDO.
- (2) The Agreement between the European Atomic Energy Community (Euratom) and Korean Peninsula Energy Development Organisation (KEDO) should be concluded,

HAS ADOPTED THIS DECISION:

Sole article

The conclusion by the European Commission of the Agreement between the European Atomic Energy Community (Euratom) and the Korean Peninsula Energy Development Organisation (KEDO) is hereby approved.

The text of the Agreement is attached to this Decision.

Done at Brussels,

For the Council

The President

AGREEMENT
BETWEEN THE EUROPEAN ATOMIC ENERGY COMMUNITY
AND THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANISATION

THE EUROPEAN ATOMIC ENERGY COMMUNITY,

Hereinafter referred to as “the Community”, and

THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANISATION,

Hereinafter referred to as “KEDO”,

Whereas:

- (1) KEDO was established pursuant to the Agreement of 9 March 1995 on the Establishment of the Korean Peninsula Energy Development Organisation, as amended on 19 September 1997, between the Governments of the Republic of Korea, Japan and the United States of America;
- (2) The Agreement concluded between the Community and KEDO expired on 31 May 2015;
- (3) After its decision to terminate KEDO’s nuclear light water reactor project and the 2007 decision to fulfil the responsibilities of the Secretariat with a greatly reduced staff and minimal office facilities, KEDO’s Executive Board decided to continue KEDO beyond 31 May 2015;

- (4) Both the Community and KEDO have expressed the wish to continue their cooperation with the objective of implementing the termination of the light water reactor project and an orderly winding up of KEDO;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Application of the provisions of the previous Agreement

Unless otherwise specified in this Agreement, the provisions of the previous Agreement between the Community and KEDO, which expired on 31 May 2015, shall remain applicable under this Agreement.

ARTICLE 2

Community contribution

There shall be no financial contribution from the Community to KEDO's budget under this Agreement.

ARTICLE 3

Duration

This Agreement shall be in force between 1 June 2015 and 31 May 2018 and may be renewed beyond 31 May 2018.

ARTICLE 4

Entry into force

This Agreement shall enter into force upon signature by the Community and KEDO and shall take effect retroactively from 1 June 2015 until 31 May 2018.

Done at Brussels this day of 2018, in two originals

For the European Atomic Energy Community represented by the European Commission

Done at New York this day of 2018, in two originals

For the Korean Peninsula Energy Development Organisation
