

Official Journal

of the European Union

L 212

English edition

Legislation

Volume 51
7 August 2008

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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 787/2008**of 6 August 2008****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 August 2008.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 August 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

⁽²⁾ OJ L 350, 31.12.2007, p. 1. Regulation as last amended by Regulation (EC) No 590/2008 (OJ L 163, 24.6.2008, p. 24).

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	29,6
	TR	74,2
	XS	26,5
	ZZ	43,4
0709 90 70	TR	93,7
	ZZ	93,7
0805 50 10	AR	77,9
	CL	63,1
	US	95,7
	UY	65,2
	ZA	85,2
	ZZ	77,4
0806 10 10	CL	57,7
	EG	144,2
	IL	157,1
	MK	68,7
	TR	142,2
	ZZ	114,0
0808 10 80	AR	87,4
	BR	92,2
	CL	95,1
	CN	84,0
	NZ	102,0
	US	92,0
	ZA	81,1
	ZZ	90,5
0808 20 50	AR	67,2
	CL	84,4
	NZ	152,7
	TR	160,0
	ZA	95,6
	ZZ	112,0
0809 20 95	CA	442,0
	TR	545,4
	US	503,5
	ZZ	497,0
0809 30	TR	166,3
	US	191,9
	ZZ	179,1
0809 40 05	BA	66,2
	IL	118,3
	TR	111,4
	XS	62,1
	ZZ	89,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 15 July 2008

amending Decision 97/126/EC concerning the conclusion of an agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part

(2008/645/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

established by Article 31 of the Agreement should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾.

- (4) Decision 97/126/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

In Decision 97/126/EC the following Articles shall be added:

‘Article 3

The Commission shall, where necessary, adopt the detailed rules for the implementation of recommendations and decisions of the Joint Committee established by Article 31 of the Agreement in accordance with the procedure laid down in Article 4(2) of this Decision.

Article 4

1. The Commission shall be assisted by the Management Committee for the Common Organisation of Agricultural Markets established by Article 195 of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ^(*).

(1) Council Decision 97/126/EC of 6 December 1996 ⁽¹⁾ concerns the conclusion of an agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part (hereinafter referred to as the Agreement).

(2) In accordance with Article 31 of the Agreement, a Joint Committee has been established which is responsible for the administration of the Agreement and ensures its proper implementation. For that purpose the Committee makes recommendations and takes decisions, which are put into effect by the Contracting Parties in accordance with their own rules. To that end, it should be explicitly stated in Decision 97/126/EC that the Commission is authorised to adopt such detailed implementing rules, where necessary.

(3) The measures necessary for the implementation of recommendations and decisions of the Joint Committee

⁽¹⁾ OJ L 53, 22.2.1997, p. 1.

⁽²⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (**) shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

(*) OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

(**) OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).'

Article 2

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

Done at Brussels, 15 July 2008.

For the Council
The President
M. BARNIER

COMMISSION

COMMISSION DECISION

of 31 July 2008

appointing members and alternates of the Paediatric Committee to represent health professionals and patient associations

(Text with EEA relevance)

(2008/646/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/23/EC and Regulation (EC) No 726/2004 ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 4(1) of Regulation (EC) No 1901/2006 requires that the Commission appoint representatives of health professionals and patient associations to the European Medicines Agency (EMA) Paediatric Committee.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1901/2006, a public call for expression of interest has been undertaken by the Commission. The European Parliament has been consulted on the result of the evaluation of the applications received in the framework of this call for expression of interest.
- (3) The members and alternates of the Committee shall be appointed for a period of three years starting on 1 August 2008,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The following are hereby appointed members and alternates of the Paediatric Committee, to represent the health professionals for a term of three years from 1 August 2008:

- Member: Jean Pierre ABOULKNER,
- Alternate: Alexandra COMPAGNUCCI,
- Member: David SPENSER,
- Alternate: Alan SMYTH,
- Member: Adriana CECI,
- Alternate: Paolo PAOLUCCI.

2. The following are hereby appointed members and alternates of the Committee to represent the patients' organisations for a term of three years from 1 August 2008:

- Member: Tsvetana SCHYNS-LIHARSKA,
- Alternate: Karen AIACH,
- Member: Michal ODERMARSKY,
- Alternate: Milena STEVANOVIC,
- Member: Annagrazia ALTAVILLA,
- Alternate: Dominique GIOCANTI.

Done at Brussels, 31 July 2008.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 378, 27.12.2006, p. 1. Regulation as amended by Regulation (EC) No 1902/2006 (OJ L 378, 27.12.2006, p. 20).

CORRIGENDA

Corrigendum to Council Joint Action 2008/314/CFSP of 14 April 2008 on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

(Official Journal of the European Union L 107 of 17 April 2008)

Joint Action 2008/314/CFSP should read as follows:

'COUNCIL JOINT ACTION 2008/314/CFSP

of 14 April 2008

on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation 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) On 12 December 2003, the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction, Chapter III of which contains a list of measures to combat such proliferation and which need to be taken both within the EU and in third countries.
- (2) The EU is actively implementing this Strategy and is giving effect to the measures listed in Chapter III thereof, in particular through releasing financial resources to support specific projects conducted by multilateral institutions, such as the International Atomic Energy Agency (IAEA).
- (3) On 17 November 2003 the Council adopted Common Position 2003/805/CFSP on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery ⁽¹⁾. That Common Position calls, inter alia, for the promotion of the conclusion of IAEA comprehensive safeguards agreements and Additional Protocols and commits the EU to work towards making the Additional Protocol and comprehensive safeguards agreements the standard for the IAEA verification system.
- (4) On 17 May 2004, the Council adopted Joint Action 2004/495/CFSP on support for IAEA activities under its Nuclear Security Programme and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction ⁽²⁾.
- (5) On 18 July 2005, the Council adopted Joint Action 2005/574/CFSP on support for IAEA activities in the

areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction ⁽³⁾.

- (6) On 12 June 2006, the Council adopted Joint Action 2006/418/CFSP on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction ⁽⁴⁾.
- (7) The strengthening of the control of high-activity radioactive sources in accordance with the G-8 statement and Action Plan on securing radioactive sources, adopted at the 2003 Evian Summit, remains an important objective for the EU, which will be pursued through outreach to third countries.
- (8) In July 2005, States Parties and the European Atomic Energy Community agreed by consensus to amend the Convention on the Physical Protection of Nuclear Material (CPPNM) with a view to expanding its scope to encompass nuclear material and facilities in peaceful domestic use and storage, as well as in transport, and to oblige States Parties to make violations subject to criminal sanctions.
- (9) In September 2005, the International Convention for the Suppression of Acts of Nuclear Terrorism (Nuclear Terrorism Convention) was opened for signature. Upon its entry into force, it will require States Parties to enact legislation to criminalise these offences.
- (10) The IAEA pursues the same objectives as set out in Recitals (3) to (9). This is done through the implementation of its Nuclear Security Plan which is financed entirely through voluntary contributions to the IAEA Nuclear Security Fund.

⁽¹⁾ OJ L 302, 20.11.2003, p. 34.

⁽²⁾ OJ L 182, 19.5.2004, p. 46.

⁽³⁾ OJ L 193, 23.7.2005, p. 44.

⁽⁴⁾ OJ L 165, 17.6.2006, p. 20.

- (11) The EU has contributed to this fund through Joint Action 2004/495/CFSP, as well as through Joint Actions 2005/574/CFSP and 2006/418/CFSP which are currently implemented by the IAEA and which are geared towards the Central Asian Region, the Mediterranean Region and Africa respectively.
- (12) In order to help address the specific challenges in the field of nuclear security and non-proliferation in Asian countries, due in particular to the growing number of nuclear applications in the region, inter alia in the field of medicine, agriculture and water, as well as nuclear research, this Joint Action should specifically support IAEA activities in South-East Asia. This should take into account the increasing role of Asia as a partner to the EU in the field of security. Particular emphasis should be given to the strengthening of nuclear safety and security in non-energy nuclear applications in eligible countries,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. For the purposes of giving immediate and practical implementation to certain elements of the EU Strategy against Proliferation of Weapons of Mass Destruction, the EU shall support the IAEA activities in the areas of nuclear security and verification in order to further the following objectives:

- achieving progress towards the universalisation of international non-proliferation and nuclear security instruments, including comprehensive safeguards agreements and the Additional Protocol,
- enhancing the protection of proliferation-sensitive materials and equipment and the relevant technology, providing legislative and regulatory assistance in the area of nuclear security and safeguards,
- strengthening the detection of and response to illicit trafficking of nuclear and other radioactive materials.

2. The projects of the IAEA, corresponding to measures of the EU Strategy, are the projects which aim at:

- strengthening national legislative and regulatory infrastructures for the implementation of relevant international instruments in the areas of nuclear security and verification, including comprehensive safeguards agreements and the Additional Protocol,
- assisting States in strengthening the security and control of nuclear and other radioactive materials,

- strengthening States' capabilities for detection and response to illicit trafficking in nuclear and other radioactive materials.

These projects shall be carried out in countries needing assistance in these areas after an initial assessment carried out by an expert team.

A detailed description of the projects is set out in the Annex.

Article 2

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

2. The projects referred to in Article 1(2) shall be carried out by the IAEA. It shall perform this task under the control of the SG/HR, assisting the Presidency. For this purpose, the SG/HR shall enter into the necessary arrangements with IAEA.

3. The Presidency, the SG/HR and the Commission shall keep each other regularly informed about the projects, in conformity with their respective competences.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 7 703 000, to be funded from the general budget of the European Communities.

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 Communities.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2, which shall take the form of a grant. For this purpose, it shall conclude a financing agreement with the IAEA. The financing agreement shall stipulate that the IAEA 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 regular reports prepared by the IAEA. These reports shall form the basis for the evaluation by the Council. The Commission shall be fully associated. It shall provide information on the financial aspects of the implementation of this Joint Action.

Article 5

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

It shall expire 24 months after the date of the conclusion of the financing agreement between the Commission and the IAEA or

after 12 months if no financing agreement has been concluded before that date.

Article 6

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

Done at Luxembourg, 14 April 2008.

For the Council

The President

I. JARC

ANNEX

EU support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

1. Description

The number of terrorist incidents in EU Member States and elsewhere over recent years has shown no sign of diminishing. The international community has recognised in various forums that the risk of successful acts of nuclear terrorism involving nuclear or other radioactive material remains high. In addition, recent reports of illicit trafficking, also involving particularly sensitive nuclear material, have underscored the continuing risk that terrorists could acquire such materials.

The international community has reacted strongly to these threats and has taken several initiatives aimed at preventing nuclear or other radioactive material from falling into the hands of criminals and terrorists. Particular attention was drawn to the situation in Asia by the Seminar on Strengthening Nuclear Security in Asian Countries, which took place in Tokyo in November 2006, which called on the IAEA to enhance its cooperation with States in the region to ensure that acceptable levels of security are applied to all nuclear and other radioactive material under national jurisdictions and according to effective national systems and functions. Added impetus to international efforts was given through the launch in July 2006 of the Global Initiative to Combat Nuclear Terrorism.

IAEA verification remains an indispensable tool for building confidence among States with regard to nuclear non-proliferation undertakings, and for advancing the peaceful use of nuclear material.

Recent international developments have resulted in a new and strengthened set of international legal instruments that are relevant for nuclear security and verification: in July 2005, States Parties adopted the Amendment to the Convention on the Physical Protection of Nuclear Material; the International Convention for the Suppression of Acts of Nuclear Terrorism was opened for signature in September 2005; and in April 2004, the UN Security Council adopted Resolution 1540(2004), dealing with weapons of mass destruction and non-State actors. UN Security Council Resolution 1373(2001) calls for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism.

Over 80 States have made a political commitment to implement the Code of Conduct on the Safety and Security of Radioactive Sources ⁽¹⁾. In addition, in 2005 the General Conference and the Board of Governors of the IAEA have adopted several resolutions and decisions to strengthen the IAEA safeguards system ⁽²⁾.

States' implementation of these international instruments may be significantly facilitated, in part, by assistance provided through the IAEA Nuclear Security Plan for 2006-2009, which was approved by the Board of Governors of the IAEA in September 2005 ⁽³⁾. This is a continuation to the 2003-2005 Plan of Activities to protect against nuclear terrorism ⁽⁴⁾. The Nuclear Security Plan includes three activity areas: (1) Needs assessment, analysis and coordination; (2) Prevention; and (3) Detection and response. It also includes a part referred to as 'Activities Supporting Nuclear Security', which comprises activities originally identified for their safety and safeguards objectives but which are also recognised for their important contributions to nuclear security.

⁽¹⁾ GOV/2003/49-GC(47)/9. Also the document: 'Measures to Strengthen International Cooperation in Nuclear, Radiation, Transport Safety and Waste Management: Promoting Effective and Sustainable National Regulatory Infrastructure for the Control of Radiation Sources' (GOV/2004/52-GC(48)/15) includes parts that are relevant to the IAEA-EU cooperation under the EU Strategy against Proliferation of Weapons of Mass Destruction. These activities are also reflected in 'Activities Supporting Nuclear Security' in the IAEA Nuclear Security Plan for 2006-2009.

⁽²⁾ In September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) decided that in order to strengthen the safeguards system, the so-called 'small quantities protocol' (SQP) to NPT safeguards agreements should remain part of the Agency's safeguards system, subject to modifications in the standard text and the change in the SQP criteria; the 2005 IAEA General Conference adopted a resolution in which it noted, inter alia, that, in the case of a State with a comprehensive safeguards agreement supplemented by an additional protocol in force, these measures represent the enhanced verification standard for that State.

⁽³⁾ GOV/2005/50-GC(49)/17.

⁽⁴⁾ GOV/2002/10.

International Safeguards, as implemented by the IAEA, represent key means of verifying the compliance by States with their specific non-proliferation commitments and obligations. It is of utmost importance that the required national legislation for the implementation of a comprehensive safeguards agreement with the IAEA, and, if applicable, an additional protocol, is in place⁽¹⁾. The implementation requires that each State party to such agreements maintain an effective State System for Accounting for and Control of Nuclear Material (SSAC). In September 2005, the IAEA Board of Governors requested that the IAEA Secretariat assist States for which comprehensive safeguards agreements had small quantities protocols attached, including non-members of the Agency, through available resources, in the establishment and maintenance of such SSACs.

The Nuclear Security Plan 2006-2009 pursues similar objectives to some elements of the EU Strategy against Proliferation of Weapons of Mass Destruction. These provide a comprehensive approach to nuclear security including the regulatory controls, accountability and protection of nuclear and other radioactive materials in use, storage and transport, 'from cradle to grave', in the short term as well as in the long term. However, should the protection fail, backup measures must be established to detect theft or attempts to smuggle the material across international borders and to respond to malicious acts involving nuclear or other radioactive materials, should they occur.

The IAEA is about to complete implementation of Council Joint Action 2004/495/CFSP of 17 May 2004 on support for IAEA activities under its Nuclear Security Programme and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction. In addition, the IAEA is in the process of implementing Council Joint Action 2005/574/CFSP of 18 July 2005 on support of IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction, as well as Council Joint Action 2006/418/CFSP of 12 June 2006, on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

With the associated contributions of the EU, the IAEA has initiated major activities to support the efforts of recipient States in the Caucasus, Central Asia, south-eastern Europe and the Balkans, the Mediterranean region in the Middle East, and Africa to strengthen nuclear security and the implementation of international safeguards in these countries.

Support for these efforts continues to be in high demand in IAEA Member States as well as in States that are not members of the IAEA. Countries eligible to receive support are:

in south-eastern Europe: Turkey, Albania, Bosnia and Herzegovina, Croatia, Serbia, Montenegro, Republic of Moldova, and the former Yugoslav Republic of Macedonia;

in the Central Asia region: Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan;

in the Caucasus region: Armenia, Azerbaijan and Georgia;

in the Mediterranean region in the Middle East: Israel, Jordan, Lebanon, and Syrian Arab Republic; and

in Africa⁽²⁾: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome & Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe;

in the South-East Asia region: Bangladesh, Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam.

Work will continue in south-eastern Europe, Central Asia, the Caucasus, in the Mediterranean region in the Middle East, and in Africa on the basis of the existing Joint Actions and an update of the needs evaluations carried out as part of those Joint Actions. This Joint Action will focus on South-East Asia. The final selection of the additional countries in the South-East Asia region to receive support will be made on the basis of the needs evaluation phase, which will comprise evaluation of existing information in headquarters supplemented by assessment missions where required. The support activities for each project will be focused on those countries that are in most need of support in each project area.

⁽¹⁾ See the Agency's Plan of Action to Promote the Conclusion of Safeguards Agreements and Additional Protocols, as published by the IAEA.

⁽²⁾ Up to 20 to 25 countries in Africa are foreseen to receive support for nuclear security upgrades under different projects. Additional countries may be involved in regional training events.

For the purpose of the needs evaluations, a team of recognised experts will assess the present status of nuclear security system already in place in these countries and give recommendations on improvements. The recommendations will constitute a platform for the definition of subsequent assistance, covering present status and need for improvement as regards prevention, detection of and response to malicious acts involving nuclear and other radioactive materials, including those in non-nuclear use, and of nuclear facilities. Priorities will be set in identifying the countries for each project that would be covered by the budget made available through EU support. The development of human resources will be implemented as part of the established training programme of the IAEA, which, to a large extent, is based on a regional approach. The participation of experts from as many eligible countries as possible will be supported, subject to available financial resources.

Subsequently, projects will be implemented in the selected countries in three fields:

1. *Legislative and Regulatory Assistance*

The legal foundation for nuclear security comprises, in large part, international instruments and recognised principles (treaties, conventions, agreements, norms, IAEA standards, codes of conduct and guidance documents, and recommendations) that are implemented by national authorities to control nuclear material and other radioactive sources. This broad range of norms (many developed under IAEA auspices) provides a framework for using nuclear material, other radioactive substances or their related facilities safely and securely — both those with large nuclear programmes and those conducting only limited nuclear activities.

The existence of proper national legislation, and regulatory control infrastructure, is a precondition for a successful nuclear security regime. National implementing legislation should provide a framework of principles and general provisions that enables authorised governmental entities to exercise the necessary regulatory functions and that regulates the conduct of any person engaged in regulated activities. In many States such legislation is inadequate and the regulatory infrastructure is not in place or is inadequate. Such gaps, combined with inefficient regulatory control infrastructures result in a weakness of the global security regime. The aim should therefore be to strengthen or establish adequate national legislative and regulatory frameworks, and the effective application of relevant measures.

Radioactive materials are often used in non-nuclear applications, e.g. in medical or industrial use. Some of these sources are highly radioactive and belong to categories 1 to 3 as defined in the IAEA document 'Categorisation of Radioactive Sources'. These sources, if not adequately under regulatory control and protected, may fall into the wrong hands and be used in malicious activities. The regulatory infrastructure for radiation safety and security of radioactive sources must be effective and must function adequately in accordance with international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and the associated import/export guidance, and with best practices.

The conclusion of safeguards agreements and additional protocols with the IAEA is an effective measure that promotes stringent national and international control over nuclear material and related technologies. It is important that national implementing legislation clearly identify the nuclear activities, installations, facilities and material to which safeguards will be applied. In addition, States that have concluded an additional protocol need to ensure that their national implementing legislation has been enhanced to enable the State concerned to comply with the additional obligations under the additional protocol. In particular, the State's domestic legislation should be revised to expand the responsibilities and powers of the regulatory body designated for the purposes of implementing and applying the safeguards agreements concluded.

States also accept obligations to meet international norms related to nuclear security when becoming parties to the CPPNM by ratifying the Amendment to the CPPNM, and when becoming a party to the Nuclear Terrorism Convention. In addition, United Nations Security Council Resolution 1540(2004) also obliges all States to establish domestic controls including the establishment of appropriate controls over materials related to nuclear weapons.

States' undertakings included in the aforementioned international instruments in the field of nuclear security have resulted in a juxtaposition of commitments related to the security of nuclear material and facilities and other radioactive sources. These commitments include measures for the establishment of a regulatory infrastructure for radiation safety and security of radioactive sources; accountancy and control measures; physical protection measures; import and export controls and the criminalisation of unlawful acts.

2. *Strengthening the Security and Control of Nuclear and other Radioactive Materials*

The materials used or stored at nuclear facilities and locations must be adequately accounted for and protected in order to prevent theft or sabotage. An effective regulatory system should identify those elements requiring implementation at the level of the State and of the operator respectively.

It is also of vital importance that powerful and vulnerable sources in non-nuclear applications are physically protected against malicious acts when used or stored, and when no longer required, that they be dismantled and stored, or disposed of as radioactive waste, in a safe and secure location.

All States with comprehensive safeguards agreements are required to establish and maintain state systems of accounting for and control of all nuclear material (SSACs) subject to safeguards. However, IAEA estimates that such systems are lacking or inadequate in many States that are party to such agreements. This situation is particularly widespread among the 120 States or so that do not operate any nuclear facilities.

3. *Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking*

Illicit trafficking relates to the unauthorised receipt, provision, use, transfer or disposal of nuclear material and other radioactive materials, whether intentional or unintentional and with or without crossing international borders.

A terrorist-made, crude nuclear explosive device or a radiological dispersal device cannot be constructed without the material having been acquired as a result of illicit trafficking. In addition, sensitive equipment and technology to produce sensitive material for or to construct a crude nuclear explosive device may also have been acquired via illicit trafficking. It may be assumed that cross-border movement of material or technology is necessary for the material to reach its end destination. To combat illicit trafficking, States thus require the necessary regulatory systems to be in place, as well as technical systems (including user-friendly instruments) and available procedures and information at border stations for detecting attempts to smuggle radioactive materials (including fissile, radioactive materials) or unauthorised trade in sensitive equipment and technology.

Effective measures must also be in place to respond to such acts and also to seizures of any radioactive materials. Law enforcement staff (customs, police, etc.) is frequently not trained in the use of detection equipment, and thus the sensitive equipment and technology may be unfamiliar. Training of these officers is therefore critical to the success of any measures put in place for detection of illicit trafficking. Different training should be offered to staff of different categories, both in using detection instruments and in understanding the reading of the instruments in order to be able to decide on follow-up activities.

Support in this area is in great demand as a result of increased awareness of the threat involved and of the availability of equipment and methodology for improved border-monitoring capability.

2. **Objectives**

Overall objective: To strengthen nuclear security in selected countries.

2.1. *Evaluation Phase: Financing International Nuclear Security Missions*

Evaluation will be carried out by the IAEA to identify needs to strengthen nuclear security in each of those countries mentioned in point 1, in which such evaluation has not been completed. For the other identified countries, the evaluation carried out earlier will be updated. The evaluation will cover, as appropriate, physical protection and security of nuclear and non-nuclear applications, established measures to combat illicit trafficking as well as the necessary legal and regulatory infrastructure. The results of the overall evaluation will be used as a basis for selecting the countries in which the projects will be implemented.

The projects outlined above will:

- evaluate, in each country, the status of physical protection of nuclear and other radioactive materials, and the protection of any nuclear or research installation or location in which these materials are used or stored. Identify a subset of facilities and locations containing these materials to be selected for subsequent upgrading and support,

- evaluate, in each country, any needs with respect to the upgrading of the security of radioactive sources. Identify any weaknesses and shortcoming against international standards and the Code of Conduct requiring improvement of regulatory infrastructure, and identify the need to provide additional protection of powerful, vulnerable sources. The specific equipment needed to provide protection would also be determined as a result of the evaluation,
- evaluate, in each country, the current status of the capability to combat illicit trafficking and identify needs for the required improvements,
- evaluate, in each country, the status of the SSAC and identify needs for the required improvements.

2.2. Implementation of specific actions defined as priorities as a result of the evaluation phase

Project 1. Legislative and Regulatory Assistance

Project purpose:

- to strengthen national legislative and regulatory infrastructures related to nuclear and other radioactive material taking into account relevant international instruments and recognised principles in the nuclear security field and existing synergies with national systems of radiation safety,
- to strengthen national legislative frameworks for the implementation of Safeguards Agreements and Additional Protocols concluded between States and the Agency,
- to strengthen the national regulatory infrastructure for radiation safety and security of radioactive sources.

Project results:

- development and adoption of comprehensive, coherent and effective legislation at the national level, thereby contributing to a harmonised, strengthened and more universal system of nuclear security,
- development and adoption (in national languages) of national legislation necessary to enable States to comply with their obligations under Agency Safeguards Agreements and Additional Protocols,
- establishment/upgrading of the national regulatory infrastructure for radiation safety and security of radioactive sources through the provision of advisory services, equipment and training, in accordance with international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and best practices.

Project 2. Strengthening the Security and Control of Nuclear and other Radioactive Materials

Project purpose:

- to strengthen physical protection of nuclear facilities and of nuclear and other radioactive materials in nuclear applications in the selected countries,
- to strengthen the control and physical protection of radioactive materials in non-nuclear applications in the selected countries,
- to strengthen SSACs for the implementation of safeguards agreements and additional protocols, including in States with 'small quantities protocols'.

Project results:

- physical protection of nuclear materials and other radioactive materials at selected nuclear facilities and locations upgraded,
- vulnerable sources in non-nuclear applications protected or, as appropriate, dismantled and transferred to safe and secure storage in the selected countries,
- national regulatory infrastructure for physical protection improved through expert assistance,

- establishment and maintenance of effective SSACs capable of implementing safeguards agreements and additional protocols, including in States with 'small quantities protocols',
- staff training provided in the countries eligible to receive support.

Project 3. Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking

Project purpose:

- to strengthen the States' capacities for detection of and response to illicit trafficking in the selected countries.

Project results:

- enhanced information collected and evaluated on illicit nuclear trafficking, from open sources and from States' Points of Contact, to improve the knowledge about and circumstances of illicit nuclear trafficking. This information will also facilitate the prioritisation of the various activities undertaken to combat illicit trafficking,
- national frameworks established through expert assistance, to combat illicit trafficking and to improve the national coordination of control cross-border movements of radioactive materials, sensitive nuclear equipment and technology in the selected countries,
- border-monitoring equipment upgraded at selected border crossings,
- training provided for law enforcement staff in countries eligible to receive support.

3. Duration

The evaluation will be performed within a period of three months after the entry into force of the contribution agreement between the Commission and the IAEA. The three projects will be performed in parallel during the 21 subsequent months.

The total estimated duration for the implementation of this Joint Action is 24 months.

4. Beneficiaries

The beneficiaries are the countries where the assessment and the subsequent projects will be implemented. Their authorities will be helped to understand where there are weak points and receive support to bring solutions and increase security. The final choice of the beneficiaries and the needs to be addressed in the selected countries shall be made in consultation between the implementing entity and the Presidency, assisted by the SG/HR in close consultation with Member States and the Commission in the framework of the competent Council working group. These decisions shall be based, where appropriate, on proposals made by the implementing entity in accordance with Article 2(1) of this Joint Action.

5. Implementing Entity

The IAEA will be entrusted with the implementation of the projects. The international nuclear security missions will be performed following the standard mode of operation for missions of the IAEA, which will be carried out by IAEA and Member States' experts. The implementation of the three projects will be done directly by the IAEA staff and/or by selected experts or contractors from IAEA Member States. In the case of contractors, the procurement of any goods, works or services by the IAEA in the context of this Joint Action shall be carried out in accordance with the applicable rules and procedures of the IAEA.

6. Third Party Participants

The projects will be financed 100 % by this Joint Action. Experts from IAEA Member States may be considered as third party participants. They will work under the standard rules of operation for IAEA experts.

7. Specific Conditions for Contracting and Procurement

In some cases, to improve the security arrangements for nuclear and other radioactive materials, e.g. radioactive sources, originally supplied by the Russian Federation, contracts for procurement of goods, works and services could be offered to providers in the Russian Federation, which are familiar with the Russian technology.'

Corrigendum to Commission Decision 2008/432/EC of 23 May 2008 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices

(Official Journal of the European Union L 151 of 11 June 2008)

On page 54, footnote 4:

for: '(⁴)',

read: '(⁴) This category is available for any type of application which fulfils the technical conditions (typical uses are telemetry, telecommand, alarms, data in general and other similar applications).'
