

Council Decision 2008/974/CFSP of 18 December 2008 in support of the Hague Code of Conduct against Ballistic Missile Proliferation in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

Article 1

1 For the purposes of ensuring the continuous and practical implementation of certain elements of the EU Strategy against Proliferation of Weapons of Mass Destruction, the EU shall support the activities of subscribing States to the Code in order to further the following objectives:

- a promoting the universality of the Code, and in particular the subscription to the Code by all States with ballistic missile capabilities;
- b supporting the implementation of the Code;
- c promoting further enhancement of the Code.

2 In this context, the projects to be supported by the European Union shall cover the following specific activities:

- a providing means for the organisation of targeted outreach, for example in the form of a workshop, aiming at the promotion of new subscriptions to the Code for the region with the lowest level of subscription to the Code;
- b providing financial and technical means to facilitate, on the one hand, the exchange of information among subscribing States, and, on the other, a visit by international observers to Space Launch Vehicles (SLV) testing launching sites, which subscribing States have resolved to consider on a voluntary basis under Article 4a (ii) of the Code;
- c providing means to pursue a debate among subscribing States on how to preserve the relevance and the viability of the Code. The debate shall in particular take into account new developments in the area of ballistic missile proliferation and the developments in international institutional and legal frameworks related to ballistic missiles.

These projects shall be carried out for the benefit of subscribing and non-subscribing States to the Code.

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 Decision. The Commission shall be fully associated.

2 The technical implementation of the projects referred to in Article 1(2) shall be carried out by the Foundation for Strategic Research in Paris (FRS).

The FRS shall perform this task under the control of the SG/HR, in support of the Presidency and in close consultation with the Chair of the Annual Meetings of the subscribing States to the Code as well as with Austria in its capacity as Immediate Central Contact (ICC)/Executive Secretariat of the Code. For this purpose, the SG/HR shall enter into the necessary arrangements with the FRS.

3 The Presidency, the SG/HR and the Commission shall keep each other regularly informed about the implementation of this Decision, in accordance with their respective competences.

Changes to legislation: There are currently no known outstanding effects for the Council Decision 2008/974/CFSP. (See end of Document for details)

Article 3

1 The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be 1 015 000 EUR.

2 The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the 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 FRS. The financing agreement shall stipulate that the FRS 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 Decision. 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 Decision on the basis of regular reports prepared by the FRS. These reports shall form the basis for the evaluation carried out by the Council. The Commission shall be fully associated. It shall report on the financial aspects of the implementation of this Decision.

Article 5

This Decision shall take effect on the day of its adoption.

It shall expire 6 months after the date of its taking effect, unless the Commission concludes a financing agreement with FRS before expiry of that period, in which case this Decision shall expire 24 months after the date of conclusion of the financing agreement.

Article 6

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

Done at Brussels, 18 December 2008.

For the Council

The President

M. BARNIER

Changes to legislation:

There are currently no known outstanding effects for the Council Decision 2008/974/CFSP.