



EUROPEAN COMMISSION
 DIRECTORATE GENERAL
 JOINT RESEARCH CENTRE
 The Director-General

APPENDIX 1

JRC ISPRA SITE ENVIRONMENTAL LEGAL STATEMENT

The European Union makes use of the Ispra site and of facilities and constructions on the site for the purpose of carrying out activities of the Joint Research Centre (JRC) by virtue of the Agreement of 22/07/1959 between the Italian Government and the Commission of the European Atomic Energy Community (Euratom), that was ratified by Italy on the basis of Law 01/08/1960 n. 906, and which established a common centre for nuclear research ("the Agreement").

The site consists of the fenced area. Furthermore, for the site's functioning, the JRC makes use of nearby areas that are the property of the Commission.

The Agreement:

- does not consider the site of the research centre as subject to territorial rights of the Italian State according to conditions laid down in Annex F, Title I, Privileges and Immunities;
- affirms the principle of protection of privileges and immunities of Euratom (following the entry into force of the Lisbon Treaty, they are the same as those of the European Union) by foreseeing for the research centre *"the exemption from [...] any administrative measures of constraint"* (Article 1 of Annex F);
- does not lay down prescriptions with regard to the implementation of environmental provisions, but only for implementing provisions on health and safety in the workplace, which the Commission is obliged to apply *"under its own responsibility"* (Article 31 of Annex F) and measures regarding health protection (Articles 15-20 of Annex F);
- sets out the duty of informing, in advance, Italian Authorities regarding projects of new plants of a certain importance or changes to existing ones which may entail a risk of ionizing radiations, as well as giving the Italian State the possibility to define measures to be implemented in this regard (Article 18 of Annex F);
- sets out that the Italian State would have been obliged to provide to the research centre all public utilities services needed for the operation of the site, possibly being understood to include water supply services, sewage treatment services, electricity services, heating and cooling services, collection and disposal of wastes (Article 3 of Annex F).

Therefore, on the basis of the above, with regard to provisions on environmental protection **the JRC - Ispra Site**:

- a) applies provisions laid down in the European Treaties and in derived legislation that govern the activities of the JRC and its staff, taking into account the privileges and immunities granted to the European Commission by the Treaties themselves;
- b) applies prescriptions set out in licences issued by Italian National Control Authorities with regard to activities carried out within the Ispra site which may involve risks of ionizing radiations;
- c) ensures the adherence to European rules related to the activities of the site;
- d) adheres on a voluntarily basis and under its own responsibility, to the limits allowed for actual environmental performances set out in Italian national laws and regulations and/or in laws and regulations of the Region of Lombardy, related to activities on the site, and implements, on a voluntarily basis and without (external) managerial and bureaucratic-administrative constraints, technical prescriptions set out by the Italian State and the Region of Lombardy as best practices.