

**DECISION OF THE
COUNCIL OF THE WESTERN EUROPEAN UNION
ON THE RESIDUAL RIGHTS AND OBLIGATIONS OF THE WEU**

(27 May 2011)

The Permanent Council:

- Considering the Statement of 31 March 2010, by which the States Parties to the modified Brussels Treaty tasked the WEU Permanent Council to organise the cessation of activities of the Organisation in accordance with the period prescribed by the Treaty, preferably by the end of June 2011
- Recalling that the cessation of activities of the Organisation will be effective from 30 June 2011;
- Noting that the cessation of WEU activities creates obligations which will be carried out as from 1 July 2011 ;
- Considering that it is incumbent upon the Permanent Council to ensure the support of these residual administrative obligations by another legal entity, particularly the WEU's residual obligations with respect to its staff;
- Considering that Belgium, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom agree that they shall, under international law, be jointly liable for fulfilling the residual administrative obligations of the WEU and that, to this extent, they will assume jointly the rights and obligations of the WEU;
- Considering that it is in the interest of the staff of the WEU and the States Parties that the execution of the remaining WEU obligations with respect to personnel is ensured by a legal entity, acting in its own name on behalf of the States Parties
- Considering that the States Parties and Member States of the European Union have jointly identified the European Union Satellite Centre as the legal entity to which shall be transferred the residual administrative obligations arising from the dissolution of the WEU
- Having regard to the Decision of the European Union Council under 2011/297/CFSP dated 23 May 2011;

AGREED THE FOLLOWING:

1. From 1 July 2011, on behalf of the States Parties, the following residual administrative activities will be transferred to the European Union Satellite Centre:
 - a) the management of pensions of former WEU staff members;
 - b) the management of the WEU Social Plan 2010;
 - c) the resolution of any dispute between the WEU and former WEU staff members and the implementation of decisions by the competent Appeals Board;
 - d) support for the liquidation of WEU goods and services.
 2. Before 30 June 2011, the WEU will enter into an administrative agreement or arrangement with the European Union Satellite Centre to ensure the implementation of European Union Council Decision 2011/297/CFSP of 23 May 2011.
 3. Belgium, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (hereinafter called "the Ten") recognise that they will be jointly responsible, including financially, to the extent of the key governing mandatory contributions to the WEU, vis-à-vis the European Union Satellite Centre, with respect to the WEU residual administrative obligations specified in paragraph 1 of this Decision, particularly in view of Article 40 of the WEU Pension Rules.
 4. The States Parties agree for this purpose to establish a start-up Fund of EUR 5.3 million in order to secure the timely payment of contributions required for the execution by the European Union Satellite Centre of the obligations arising out of the European Union Council Decision 2011/297/CFSP of 23 May 2011 and contained in this Decision. The start-up Fund is made up of the contributions from the States Parties, calculated according to the scale of WEU budget contributions in force on 30 June 2011. The States Parties shall be required to pay initial contributions to the Fund before 30 June 2011 for a total of 20% of the amount mentioned above.
 5. Any decisions regarding residual administrative activities identified in paragraph 1 of this Decision shall be taken unanimously by the Board of the European Union Satellite Centre consisting of one representative appointed by each of the Ten in accordance with Article 23a § 6 of European Union Council Joint Action 2001/555/CFSP, as amended by European Union Council Decision 2011/297/CFSP of 23 May 2011. The first meeting of the Board shall be convened upon the entry into force of this Decision by the State Party holding the chairmanship of the WEU Permanent Council. The Ten shall each appoint a representative and deputy to the Board.
 6. This Decision shall enter into force on the date of its adoption. It remains valid as long as there are obligations under the provisions contained herein.
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