



Council of the
European Union

Brussels, 6 October 2016
(OR. en)

14751/04
DCL 1

RECH 223
ATO 124

DECLASSIFICATION

of document: ST 14751/04 RESTREINT UE/EU RESTRICTED
dated: 17 November 2004
new status: Public
Subject: ITER
- Modification of the negotiating directives

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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NOTE

From : The General Secretariat of the Council
To : Permanent Representatives Committee
Subject : ITER
- Modification of the negotiating directives

I. BACKGROUND

At the last session of the ("Competitiveness") Council on 24 September 2004 ¹, the President concluded, inter alia, that: "The Commission is encouraged to pursue actively these negotiations with a view to enabling the Council, at its session of 25/26 November 2004, to reach agreement on the main elements of the future international agreement on ITER", and invited the Commission to elaborate a clear roadmap in respect of the final phase of the international negotiations and provide the necessary input in due time to enable the Council to arrive at an appropriate decision in November.

II. COMMISSION PROPOSAL

Consequently, the Commission has proposed modifying the negotiating directives with a view to the formal completion of international negotiations, covering the following aspects:

¹ Doc. 13350/04 PV/CONS 52 COMPET 161 RECH 186.

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- ensuring the broadest possible international partnership;
- confirming Cadarache as the site for ITER;
- recognising the “broader approach” in the negotiations with all partners;
- providing clarifications on transitional arrangements between the current Coordinated Technical Activities for ITER and its joint implementation.

On this basis the Commission will endeavour to finalise the international negotiations so as to be in a position to submit to the Council, in mid-2005, its formal proposals for the approval of the international Agreement, as well as for the establishment of a joint undertaking responsible for the European contribution to ITER.

III. WORKING PARTY DISCUSSION

The Joint Research / Atomic Questions Working Party examined, at its meeting on 17 November 2004, on a preliminary basis, the Commission proposal. Whilst all delegations maintain scrutiny reservations on the Commission recommendation for its proposed amendments to the negotiating directives, delegations could broadly endorse the Commission’s general approach. However, certain questions were raised for clarification concerning in particular:

- the envisaged timetable for concluding the negotiations;
- the final composition of the international partnership;
- certain financial aspects.

The Working Party also noted that the Commission's proposal suggests, that, in the event of failing to achieve consensus on the ITER site, negotiations should be pursued with a view to involving the widest possible partnership in the timeframe indicated in II above.

IV. CONCLUSION

The Permanent Representatives Committee is invited to examine the Commission's proposal to enable the Council (“Competitiveness”), at its session on 25/26 November 2004 to decide on amendments to the Commission’s negotiating directives.