Status of ITER Negotiations

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Status of ITER Agreement

• Focus of ITER negotiations since start in late 2001 has been the agreement—i.e., the Joint Implementation Agreement (JIA)

• JIA’s purpose is to establish the ITER Organization, as the legal framework, to design, build, operate, deactivate the ITER facility and to provide for decommissioning.

• ITER parties met in Barcelona, Feb. 7-11, to complete the technical level negotiations on the JIA text and 15 associated documents—no remaining issues with JIA!
Privileges and Immunities

• Today, in Paris, ITER parties are conducting the final legal meeting dealing with Privileges and Immunities (P&I). The P&I principles in JIA are agreed, at technical level by all 7 Parties.

• Provision of P&I will be done in US by application of our International Organization Immunities Act, whereas other 6 Parties will sign a separate agreement on P&I. This separate agreement is being negotiated today as well.

• This 6 Party P&I agreement is necessary for progress toward formal completion of negotiations.
Next Steps Prior to Signing

• April 1, Principals’ meeting in Tokyo whereby Heads of Delegation, Ray Orbach for US, will meet to resolve any remaining issues, then confirm text and call negotiations complete
  – also to be addressed are the Principal Deputy Director General Nominee and main management structure

• April 1-late May, Domestic reviews of all texts

• May 24, Ministerial meeting in Brussels
  All Documents ‘initialed’ and texts fixed

• US will submit text in early June to Congress for 120 day review, available for public review
Signing and Ratification

• Next step is prepare for signing, a formal commitment of Executive Branch(es).
  – Seek inter-agency authorization for the US to sign

• Signing would be as early as end of 2006.

• Final step is Entry into Force, i.e. ratify and accept agreements, expected in early 2007.

• One of signed documents would be Provisional Applications allowing ITER Org. to start functioning at signing, before Entry into Force, except for P&I.

• P&I requires ratification by Legislatures (other 6) and action by President (for US)
Staffing in Cadarache

• Director General Nominee Kaname Ikeda about to take his position full time.
• Principal Deputy General Nominee, an EU candidate, about to be named.
• Candidates for Deputy Directors General soon to be offered by parties for consideration so that principal staff can be organized.
  – US seeking candidates through fusion institutions
• Interim project team to relocate to site this summer; Parties will be sending new personnel as requested by ITER Organization.
Why has it taken so long? (1)

• General issues addressed between Nov. 01 and late ’03.
• Site issue and advancement of Agreement took center stage from Dec. 03-June, ’05.
  – high political interest and negotiation of EU/JA
• Intense negotiations on all other issues carried on from Sept. ’05 through Feb.’06.
• 30 major meetings in all
• US participated in 20 of them
Why has it taken so long? (2)

- Funding-serious matter awaited site resolution
  - Then, negotiating cost shares and procurement allocations during construction, & costs for operation, deactivation, and decommissioning required much interaction with all Parties

- Staffing and procurement rules of great, detailed interest as we are creating real organization

- Last issue is the complicated matter of P&I and waiver thereeto, involving French Nuclear Safety Regulators and Parties’ fundamental duties to their citizens
How did we reach success?

- Using precedents wherever appropriate
- Working hard to have clarity and understood assumptions
- Making necessary compromises within mandates of each Party
- Bringing good will and persistence to the tables
Project Office Transition

- May 2004 - date of original selection of the US ITER Project Office, a partnership of PPPL and ORNL.

- Nov 2005 – DOE requested relocation of Project Office to ORNL in order to maximize the application of ORNL’s project management and procurement expertise, as demonstrated on the Spallation Neutron Source project.

- Jan 2006 – transition plan for relocating Project Office function to ORNL was approved by DOE.

- Feb 2006 – US ITER MIE project funds were transferred from PPPL to ORNL.
Conclusion

• We extend a big “thanks” to all of you who have contributed to making the planning, progress, and negotiations a success.

• With the significant advances on the international and domestic fronts, we look forward to similar success in ITER project construction.