Supplementary Research Programme for the ITER project (2014-2018)

2011/0460(NLE) - 21/12/2011 - Legislative proposal

PURPOSE: to adopt a Supplementary Research Programme for the ITER project (2014-2018).

PROPOSED ACT: Council Decision.

BACKGROUND: the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project was signed on 21 November 2006 by the European Atomic Energy Community (Euratom), the People's Republic of China, India, Japan, Korea, Russia and the United States of America. The ITER Agreement establishes the ITER International Fusion Energy Organization, which has full responsibility for constructing, operating, exploiting and de-activating the ITER facilities.

The ITER Agreement requires all parties to provide contributions to the ITER Organization through appropriate legal entities referred to as "Domestic Agencies".

The estimated costs for ITER construction increased compared to the initial estimates of 2001. In its conclusions of 12 July 2010 on ITER status and possible way forward, the Council of the European Union limited the European contribution to the ITER construction phase to an amount of **EUR 6.6 billion in 2008 value**. According to those conclusions, the European contribution is funded by Euratom (80%) and by France (20%) and includes construction costs, running costs and contingencies. As a result of those conclusions, the Commission proposed to amend the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual framework (MFF) for the period 2007-2013 to provide additional funds for ITER for the period of 2012-2013.

For the period after 2013 the Commission in its communication "A Budget for Europe 2020" proposed to fund the ITER project **outside the MFF**. Therefore a Supplementary Research Programme for the ITER project should be established for the period of 2014 to 2018.

IMPACT ASSESSMENT: this proposal takes full account of the responses to a.

On the basis of the Communication of 29 June 2011, several options for the modalities of funding the ITER project outside the MFF have been examined. The creation of a Supplementary Research Programme funded with contributions from Member States will provide continuity for the project, in particular vis-à-vis our international partners. It will also avoid a renegotiation process to modify the ITER Agreement, a complex process surrounded by uncertainties.

LEGAL BASIS: Article 7 of the Treaty establishing the European Atomic Energy Community.

CONTENT: **the proposed Supplementary Research Programme** covers the contributions to the construction of the ITER facility, procurement of equipment and installations and general technical and administrative support for the project during construction, and participation in commissioning and initial operation, as well as other ITER related activities, such as those under the Broader Approach Agreement.

Euratom will continue to participate in the **governance**, management and staffing of the ITER Organization and Fusion for Energy in accordance with the provisions of the agreement establishing the ITER Organization and the Council Decision establishing Fusion for Energy.

The Supplementary Research Programme for the ITER project should be funded by **contributions from the Member States** based on a call rate applied to each Member State's Gross National Income (GNI) as defined for the purpose of calculating the GNI own resource contribution to the General Budget of the European Union. Those contributions shall be made to the General Budget of the European Union, and shall be assigned to that Programme.

Third countries which have concluded a cooperation agreement with Euratom in the field of controlled nuclear fusion that associates their respective research programmes with the Euratom programmes should also be able to contribute to that Programme.

The **financial interests** of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, penalties.

The scientific and technical content of ITER activities are unchanged in this Supplementary Research Programme.

BUDGETARY IMPLICATION: the Programme shall be financed through a maximum contribution of **EUR 2.573 billion** (in current values).