

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 thereto, 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.