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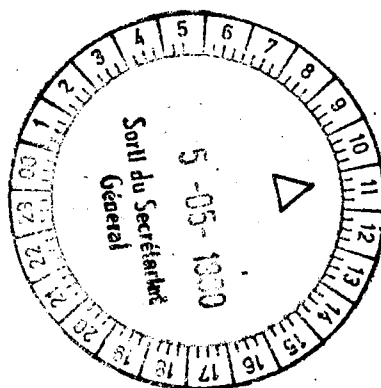
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# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 217 final

Brussels, 30th April 1980



## DRAFT COUNCIL DECISION

INSTRUCTING THE COMMISSION TO NEGOTIATE AN AGREEMENT FOR  
COOPERATION BETWEEN THE EUROPEAN ATOMIC ENERGY COMMUNITY  
AND SPAIN IN THE FIELD OF CONTROLLED THERMONUCLEAR FUSION

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(presented by the Commission to the Council)

COM(80) 217 final

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

SUBJECT : Cooperation with Spain in the field of controlled thermonuclear fusion through Spanish participation in the staff mobility contract concluded between the Commission and its partners in the field

1. The Spanish authorities have expressed a desire for immediate cooperation with the Community in the field of controlled thermonuclear fusion.
2. The Commission and the Spanish authorities have undertaken a preliminary examination of the possibilities for cooperation in the field of fusion. This examination has revealed that :
  - 2.1 - Research in Spain in the field of thermonuclear fusion only began a few years ago;
    - the national program in Spain in this field will employ 25 scientists in the next two years ;
    - this program will be based on the Tokamak concept (a small machine of this type, identical to the "Erasmus" of the Belgian "Ecole Royale Militaire", has been ordered in the United States and will be delivered in 1980; a medium-sized Tokamak is in the design stage).
  - 2.2 Given the present stage of the fusion research program in Spain, complete association with the Community's program, such as was concluded with Sweden and Switzerland, would not be justified and is not desired by Spain.
  - 2.3 However, cooperation between the Community and Spain involving participation by Spain in the staff mobility contract concluded by the Commission and its partners under the fusion program is in the interests of the Community and of Spain.

- 2.4 This participation would enable Spain to send scientists to work in the laboratories of the Commission's partners and to invite scientists from these laboratories to Spain in order to develop a programme compatible with the Community's programme with a view to a broader association (which may be expected in the event of Spain joining the Community).
- 2.5 Spain would pay its contribution to the staff mobility fund as a function of the ratio between her Gross Domestic Product and that of the Community, i.e. approx. 7,5 % of 2 MUA = 0,15 MUA over five years, i.e. approx. 30.000 UA per annum. (The same formula as was used in the agreements with Sweden and Switzerland).
3. The various advisory committees of the community fusion programme and among them the ACF were consulted on the subject of such a cooperation with Spain and expressed a favourable advice.
4. In conclusion, the Commission is transmitting to the Council as Annex 1 of this communication, a Draft Decision instructing the Commission to negotiate an agreement for cooperation between the European Atomic Energy Community and Spain, through Spanish participation in the staff mobility contract concluded between the Commission and its partners in the field of controlled thermonuclear fusion.

DRAFT COUNCIL DECISION  
INSTRUCTING THE COMMISSION TO NEGOTIATE AN AGREEMENT  
FOR COOPERATION BETWEEN THE EUROPEAN ATOMIC ENERGY  
COMMUNITY AND SPAIN IN THE FIELD OF CONTROLLED THERMO-  
NUCLEAR FUSION

The Council of the European Communities,

Having regard to the Treaty establishing the European Atomic Energy Community,  
in particular the second paragraph of Article 101 thereof,

Having regard to the Draft of the Commission,

Whereas the Council adopted, on 13 March 1980, a fifth research and training  
programm for the European Atomic Energy Community in the field of controlled  
thermonuclear fusion covering the period 1979-1983 and ensuring the long-  
term continuity of the community programm ;

Whereas Spain, as a country seeking accession to the European Communities,  
has expressed the desire to participate immediately in the staff mobility  
contract under the fusion programm in order to map out and start up the Spa-  
nish fusion programm under the best possible conditions with a view to bro-  
ader association ;

Whereas the existing Committees under the fusion programm have been consulted  
on this subject and have expressed a favourable advice ;

HAS DECIDED AS FOLLOWS :

- 1) the Commission shall negotiate, on the basis of the second paragraph of  
Article 101 of the Treaty establishing the European Atomic Community, an  
agreement for cooperation between the Community and Spain in the field of

controlled thermonuclear fusion, limited to the participation of Spain in the staff mobility contract concluded between the Community and its partners in the field of fusion ;

- 2) the rights and obligations resulting from the agreement, particularly with regard to financial matters, taken together shall not have the effect of putting Spain in a more favourable position than that of the Member States ;
- 3) the financial contribution of Spain shall be fixed on the basis of the ratio between its Gross Domestic Product and that of the Community ;
- 4) the agreement shall provide for the setting up, at a suitable level, of a Committee formed of representatives of the two contracting parties, which shall meet at the request of either of them and at least once a year, to discuss problems of joint interest in the field of fusion ;
- 5) the agreement shall be concluded for a period of three years. Six months before the end of that period, the two parties shall hold consultations on what further measures to take.

The contracting parties may terminate the agreement by giving six month's notice.