



European Commission - Statement

Joint Statement of President Juncker, Prime Minister Rajoy and Prime Minister Costa on the amicable settlement concerning the Almaraz case

Brussels, 21 February 2017

Following our meeting in Malta on 3 February 2017, on the initiative of President **Juncker**, we have reached an amicable settlement on the Almaraz case.

We consider that, in view of the immense economic, social and geopolitical challenges the European Union is facing at the moment, we should concentrate our efforts on dealing with these challenges. In this spirit, disputes between Member States who traditionally are allies, should be solved swiftly in a consensual and cooperative manner.

The amicable settlement, which is attached to this Joint Statement, engages Spain and Portugal in a constructive consultation process and dialogue allowing for a solution to the ongoing dispute on the construction of the nuclear waste landfill at the Almaraz nuclear power station. In this context, a joint visit to the site, with the participation of the Commission, is taking place in the coming days. The visit and the consultation process will allow the parties to examine and take into account legitimate concerns on the project and to agree on proportionate measures to address them.

As a result, Portugal commits to withdraw its complaint against Spain, introduced on 16 January 2017, under Article 259 of the Treaty on the Functioning of the European Union.

In addition, we agree to accelerate the work of the High Level Group on Interconnections for South West Europe to develop the necessary gas and electricity interconnection projects connecting Portugal and Spain, as well as the Iberian Peninsula with the European markets. This will increase Europe's security of energy supply, improve the reliability of the electricity system, improve the quality of service and reduce productivity losses in the commercial and industrial sectors.

We consider that this outcome is proof of the pragmatic cooperation and problem-solving spirit of the European Union. We are looking forward to working together with the other Members of the European Council, to deepen the European Union further during 2017, notably on the occasion of the 60th anniversary of the Treaties of Rome.

ANNEX: Amicable settlement concerning the Almaraz case

On the initiative of President Jean-Claude **Juncker** and following his meeting with Prime Minister Mariano Rajoy of Spain and Prime Minister António Costa of Portugal in Malta on 3 February 2017, the following amicable settlement was reached:

Spain will:

- a) share with Portugal all relevant environmental and nuclear safety information and provide, as appropriate, all the relevant information, with a view to ascertain the inexistence of significant effects of the project on Portuguese territory.
- b) organise a visit as soon as possible of the Portuguese authorities to the site, presenting the technology and its proposed safety features as well as all necessary sharing of information and clarification meetings. The European Commission – representatives of President Juncker's Cabinet and of Directorates-General of Environment and Energy at senior level – will be invited to join.
- c) neither issue nor implement the authorisation for the operation of the nuclear waste reservoir until the examination by the Portuguese authorities of the relevant information and the visit is carried out. The visit and the information exchange will take place in the next two months. During this period of time, Spain will refrain from taking any measures that could be considered as irreversible by any of the parties to the settlement, or that could prejudice the outcome of the consultation of Portugal. Instead, the time should be used to examine and take into account, in good faith and with a constructive spirit, any legitimate concern raised by Portugal with regard to the project; and to consider, in the interest of good neighbourly relations, any proportionate measure that would help in addressing the legitimate concerns expressed by Portugal.

Portugal will:

a) commit, in light of the contacts established towards a friendly settlement, to withdraw its current complaint under Article 259 of the Treaty on the Functioning of the European Union (TFEU), without prejudice to the possibility to make use of Article 259 TFEU in the future.

In addition, the parties agree to accelerate, jointly with the European Commission, the work of the High Level Group on Interconnections for South West Europe to develop the necessary gas and electricity interconnection projects connecting Portugal and Spain, as well as the Iberian Peninsula with the European markets. This will increase Europe's security of energy supply, improve the reliability of the electricity system, improve the quality of service and reduce productivity losses in the commercial and industrial sectors.

Ambitious levels of interconnection will help Europe, thanks to the optimisation of the system that will lead to a reduction of fuel imports and of the price of energy.

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