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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

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Subject: *Preparation of the Competitiveness Council on 30 November 2018*
Horizon Europe package: Framework Programme for Research and Innovation 2021-2027
- Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on
establishing the specific programme implementing Horizon Europe – the Framework
Programme for Research and Innovation
- Progress report

1. In June 2018 the Commission presented its proposal for the Horizon Europe package, including the proposal for a Decision on the Specific Programme implementing Horizon Europe¹. The Competitiveness Council addressed major issues relating to this proposal at its meeting on 28 September 2018 and provided orientation related to the question of the legal basis of the proposal, on strategic planning and on missions and partnerships.

¹ doc. 9870/18 + ADD 1

2. Based on this orientation, the Research Working party has discussed the content of the proposal in several of its meetings and delegations have provided oral and written comments, on the basis of which the Presidency issued a Presidency text on the Specific Programme² which reflects the state of discussions.

Agreed and open issues

3. The discussions at technical level have made progress on several issues. Nonetheless, further progress needs to be achieved before a Council position can be established. A non-exhaustive overview of the main issues and their status at technical level is set out below.
4. The Presidency text proposes to base the Specific Programme on article 182(4) TFEU alone, in line with the Opinion of the Council Legal Service³ and the orientation of the Council. This change was supported by all delegations and was complemented by a transfer of all text relating to the European Institute of Innovation and Technology to the Framework Programme Regulation. Consequently, the Decision should be adopted by the Council after consultation of the European Parliament.
5. The Competitiveness Council on 28 September 2018 also requested a close involvement of Member States in the strategic planning process and that parts of the strategic plan, namely areas for missions and institutionalised partnerships should be included in the text of the Decision, while the Commission should be empowered to adopt implementing acts for the remaining parts of the strategic plan. This is reflected in the Presidency text with a new article 4a as an anchor and a revised annex 1 clarifying the involvement of Member States in the process. This approach was supported by delegations, even though several delegations highlighted that details on the involvement of Member States remain to be specified and annex 1 would have to be amended accordingly.

² doc. 13532/18

³ doc. 11422/18

6. Based on the Commission's non-paper 'Preliminary ideas for areas for Missions and Partnerships in Horizon Europe' and a presentation of Commissioner Moedas at the informal lunch of Research Ministers on 15 October 2018, areas for missions and institutionalised partnerships have been added to a new annex 1a, thereby enshrining substantive elements of the strategic plan in the Decision. This approach was supported by delegations. The details of this annex, however, require further clarification, including the proposed set of missions and partnership areas as well as the revision of its granularity. The governance of missions also requires clarification as regards the structures to be used and/or established.
7. On pillar III, the European Innovation Council as a new structure was acknowledged by a majority of delegations, but questions about details on the functioning and financing modes of the EIC remain and will need to be settled in the course of the further negotiations. The part on innovation ecosystems requires further elaboration to exploit the full potential of possible activities in this field.
8. Delegations supported that dedicated activities are foreseen in the part 'Widening participation and strengthening the European Research Area'. Following the additional measures contained in the text of the proposed partial general approach, the provisions of the Specific Programme will require further elaboration, in particular on 'Widening participation and sharing excellence'.

Way forward

9. Following the Competitiveness Council, the Presidency will continue the discussion on the substance of the Specific Programme with a view to making as much progress as possible in consolidating the Council's position.
10. The Permanent Representatives Committee is invited to take note of progress made and the proposed way forward and submit it to the Council for its meeting on 30 November.