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DECLASSIFICATION

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Subject: Adoption of a Council Decision authorising the Commission to negotiate the renewal of the agreement on scientific and technical cooperation between the European Community and the European Atomic Energy Community, on the one part, and the Swiss Confederation, on the other part

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



COUNCIL OF
THE EUROPEAN UNION

Brussels, 7 December 2006

16285/06

RESTREINT UE

RECH 349
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"I/A" ITEM NOTE

from : General Secretariat of the Council
to : Permanent Representatives Committee/Council

No. Cion prop. : 14322/06 RECH 267 ATO 116 CH 45 **RESTREINT UE**

Subject : Adoption of a Council Decision authorising the Commission to negotiate the renewal of the agreement on scientific and technical cooperation between the European Community and the European Atomic Energy Community, on the one part, and the Swiss Confederation, on the other part

1. On 3.10.2006 the Commission submitted to the Council its recommendation for the above-mentioned decision. The Commission's recommendation is based on Articles 170 and 300 of the Treaty establishing the European Community and Art. 101 of the Treaty establishing the European Atomic Energy Community, having regard to Article 9 (2) of the Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part¹.
2. The Research Working Party has reached agreement on the text of the decision authorising the Commission to negotiate the agreement (Annex I), as well as on the negotiating directives (Annex II).

¹ O.J. L 32, 5.2.2004, p. 23.

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3. It is suggested, therefore, that the Permanent Representatives Committee recommends the Council, at one of its future sessions, to adopt as an "A" item this Decision and the negotiating directives as annexed to this note.

DECLASSIFIED

COUNCIL DECISION

authorising the Commission to negotiate the renewal of the agreement on scientific and technical cooperation between the European Community and the European Atomic Energy Community, on the one part, and the Swiss Confederation, on the other part

- 1) The Council authorises the Commission to negotiate the renewal of the agreement for scientific and technical cooperation between the European Community and the European Atomic Energy Community, on the one part, and the Swiss Confederation, on the other part.
- 2) The Commission will conduct the negotiations covering the activities of the European Community's framework programme for research, technological development and demonstration activities with the assistance of the special committee created for this purpose in accordance with Article 300, paragraph 1, of the Treaty establishing the European Community.
- 3) The Council calls on the Commission to conduct these negotiations on the basis of the negotiating directives in the Annex.
- 4) The Commission will keep the Council informed of the state of progress of the negotiations.

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NEGOTIATING DIRECTIVES

For renewing the Agreement for scientific and technical cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part

The aim of the negotiations is to renew under mutually agreed conditions the above-mentioned Agreement for the duration of the Seventh Framework Programmes (EC - 2007-2013 - and Euratom -2007-2011)², and this in accordance with the procedure foreseen under Article 9, paragraph 2 of the Agreement.

The terms and conditions of the present Agreement will be adapted to the rules applicable to the Seventh Framework Programmes, once it is adopted. It would be appropriate to foresee the provisional application of the renewed agreement so as to allow Swiss entities to participate in the first calls under the Seventh Framework Programmes.

The renewed agreement should provide for adequate protection of the financial interests of the European Communities covering the communication of financial data, audits and administrative anti-fraud investigations on the spot, administrative assistance and the recovery of money. Insofar as necessary, the renewed agreement should also envisage elimination of obstacles in relation to taxation and social security resulting from the cross border participation of researchers in research projects under the agreement, in particular for the personnel of the Joint Research Centre governed by the EC staff regulations.

² COM(2005)119 final.