



Council of the
European Union

039849/EU XXVI. GP
Eingelangt am 25/10/18

Brussels, 25 October 2018
(OR. en)

13566/18

Interinstitutional Files:

2018/0224(COD)

2018/0225(COD)

RECH 453
COMPET 706
IND 303
MI 764
EDUC 381
TELECOM 362
ENER 343
ENV 691
REGIO 106
AGRI 501
TRANS 479
SAN 350
CADREFIN 302
CODEC 1796
IA 334

NOTE

From:	General Secretariat of the Council
To:	Research Working Party
No. Cion doc.:	ST 9865/18 ST 9870/18
Subject:	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 Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination - Member States views on the Commission Impact Assessments (IA)

Introduction

Since 1984, the Union's Research and Innovation (R&I) activities have proven impacts on the R&I results and landscape as well as on the economy as a whole. The next R&I programme (2021-2027), Horizon Europe, builds on feedback from stakeholders, the outcomes of Horizon2020 interim evaluations and on the results of the ex-post evaluations of previous programmes.

On 7 June 2018, the European Commission presented the above proposals, including their impact assessments.

On 6 and 26 July 2018, the Research Working Party listened to a general Commission presentation of the IA¹. Furthermore related references to the IA have been made during the presentations of the different parts and elements of the Horizon Europe proposal.

During a number of meetings in June, July and September, this gave members of the Research Working Party the opportunity to ask questions, exchange views and provide their initial reactions to the IA.

On 26 July 2018, delegations were invited to provide written comments by applying the indicative checklist² no later than 14 September 2018.

The analysis given below is based on delegations' written comments and their interventions during the above mentioned Research working party meetings.

Policy context, problem identification and policy objective

A majority of delegations considered that the policy context was clearly explained and that the IA demonstrated a potential gap, which required a cross-border policy response (the existence, scale and consequences of a problem). One delegation considered that the area of intervention "reforming and strengthening the European R&I system" could have been more thoroughly examined. Delegations acknowledged the application of an appropriate analysis methodology, though delegations also noted the omission of appropriate indicators to estimate a European added-value, among others on "*climate mainstreaming*". An inadequate analysis of continued actions from Horizon 2020 was also noted by several delegations.

1 WK 7464/2018 INIT, WK 7208/2018 INIT, WK 8526/2018 INIT and WK 9454/2018 INIT
2 6270/18 EXT 1

Legal basis, subsidiarity/proportionality, policy options and costs

Based on the Council Legal Service Opinion³ on the legal bases, a majority of delegations object to Article 173(3) as one of the legal bases for the Specific Programme Decision⁴. All delegations accepted the proposed legal bases for the Regulation on the Rules for participation and dissemination⁵, i.e. Articles 173(3), 182(1), 183 and the second paragraph of Article 188 TFEU.

Delegations recognised that the competence of the EU was established. One delegation questioned the consistency with the principles of subsidiarity/proportionality, in particular regarding the European Innovation Council (EIC) activities involving low technology readiness levels (TRLs) which could be addressed at the national level.

Concerning policy options, delegations recognised that different options, including their costs, economic impact and implication on competitiveness, had been examined and that reasons had been provided for discarding alternatives during the public and stakeholder consultation. One delegation indicated that the impact on administrative costs and burden hadn't been sufficiently analysed.

Regarding the monitoring, transposition and compliance of proposed measures, one delegation remarked that for the evaluation process a coherent set of "*key impact pathway indicators*" should be developed, in particular to measure "*climate mainstreaming*" and the EU added value in general. For the foreseen interim evaluation, one delegation considered that the impact of researches' access from countries with a modest R&I budget to research infrastructures in other countries should be measured. The same should be the case for externalized measures, like Joint Technology Initiatives (JTIs).

3 11422/18

4 9870/18 + ADD 1-6 + ADD 6 COR1

5 9865/18 + ADD 1-6

Overall assessment and conclusion

The analysis of delegations' remarks indicates that the Commission has identified a gap in the existing European Union R&I policy. Delegations acknowledge that Horizon Europe, in addition to national and other EU instruments, delivers on the EU's strategic policy priorities and contributes to tackling global challenges, including the United Nations Sustainable Development Goals. According to delegations the impact of the proposed Horizon Europe actions are sufficiently analysed.

In conclusion, delegations recognise that the Commission's impact assessment has no major omissions or factual mistakes. Accordingly, the Research Working Party intends to proceed with the examination of the proposal.
