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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Proposal for a DECISION OF THE COUNCIL on establishing the specific programme implementing Horizon Europe - the Framework Programme for Research and Innovation

- Minutes of the exchange of views in accordance with paragraph 25 of the Interinstitutional Agreement on Better Law-Making

On 9 April 2019, the Council (represented by Mr Cosmin Boiangiu), the European Parliament (represented by MEP Christian Ehler) and the European Commission (represented by Commissioner Carlos Moedas) exchanged views in accordance with the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, paragraph 25.

The Council confirmed its view that the text of the Decision on the Specific Programme did not contain any element which would require recourse to Article 173(3) TFEU. The changes to the text through which Coreper on 3 April 2019 has prepared the Partial General Approach further confirm this initial assessment. The Council therefore also foresees a change in the applicable legislative procedure.

The European Parliament noted that the ITRE Committee voted on a revised report on the Specific Programme on 2 April 2019, the text of which is substantively almost identical to that that will be confirmed by Council as its Partial General Approach. The European Parliament is firmly committed to upholding the political agreement reached on Horizon Europe, including as regards the reconsideration of the legal basis for the Decision on the Specific Programme in light of the significant amendments provisionally agreed to that text.

The Commission reiterated its position that it would not stand in the way of the two legislators in case the legal basis and applicable legal procedure were to be changed. Therefore, in the light of the substantial changes made to the text of the Specific Programme and in view of the agreement between the Council and the European Parliament, the Commission can also agree to the change of the legal basis.

In conclusion, the three institutions acknowledge that the amendments provisionally agreed as regards both the Regulation on the Horizon Europe Framework Programme and the Decision on the Specific Programme are an essential element of the overall political deal reached between the co-legislators. They also recognise that the content of the Specific Programme as approved by Coreper on 3 April and voted on in the ITRE Committee on 2 April determines the appropriate legal basis and the applicable legislative procedure. The three institutions therefore agree that the appropriate legal basis for the Decision on the Specific Programme will be adapted in light of the significant changes made in the Specific Programme compared to the original Commission proposal.