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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the signing and provisional application of the Agreement between the European Union and Australia on the participation of Australia in Union programmes

COUNCIL DECISION (EU) 2026/...

of ...

**on the signing and provisional application of the Agreement
between the European Union and Australia
on the participation of Australia in Union programmes**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 186 and 212, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By letter dated 28 July 2025, Australia expressed its formal interest in becoming associated to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) established by Regulation (EU) 2021/695 of the European Parliament and of the Council¹ (the ‘Horizon Europe Programme’).
- (2) On 20 January 2026, the Council adopted Decision (EU) 2026/222² authorising the opening of negotiations with Australia for an agreement on the general principles for the conclusion of an agreement on the participation of Australia in Union programmes and the association of Australia to the Horizon Europe Programme.
- (3) The negotiations have been completed, and the Agreement between the European Union and Australia on the participation of Australia in Union programmes (the ‘Agreement’) was initialled on 9 June 2026.

¹ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/695/oj>).

² Council Decision (EU) 2026/222 of 20 January 2026 authorising the opening of negotiations on behalf of the European Union for the conclusion of an agreement between the European Union, of the one part, and the Commonwealth of Australia, of the other part, on the participation of the Commonwealth of Australia in Union programmes and the association of the Commonwealth of Australia to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) (OJ L, 2026/222, 27.1.2026, ELI: <http://data.europa.eu/eli/dec/2026/222/oj>).

- (4) The objectives of the Agreement are to establish a lasting framework for cooperation between the Union and Australia and to set out the terms and conditions for the participation of Australia in the Union programmes which are opened for its participation in accordance with the basic acts establishing Union programmes as defined in the Agreement. As such, the aim of the Agreement is to enable the Union to carry out cooperation measures with Australia pursuant to Article 212 of the Treaty on the Functioning of the European Union.
- (5) Pursuant to Article 3(1) of the Agreement, Australia is allowed to participate in Union programmes and activities that are open to its participation, in accordance with the basic acts and as covered by the Protocols to the Agreement.
- (6) Pursuant to Article 3(2) of the Agreement, the specific terms and conditions for the participation of Australia in the Horizon Europe Programme are laid down in the Protocol on the association of Australia to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) to the Agreement (the ‘Protocol on the association of Australia to the Horizon Europe Programme’).
- (7) In line with the Council’s negotiating directives, the Protocol on the association of Australia to the Horizon Europe Programme was negotiated in parallel to the Agreement and, pursuant to Article 15(14) of the Agreement, forms an integral part thereof. Australia is thereby associated to Pillar II ‘Global Challenges and European Industrial Competitiveness’ of the Horizon Europe Programme.

- (8) Australia fulfils the criteria set out in Article 16(1), point (d), of Regulation (EU) 2021/695.
- (9) The Agreement complies with Article 16(2) of Regulation (EU) 2021/695, which requires that the association to the Horizon Europe Programme of third countries under Article 16(1), point (d), of that Regulation be in accordance with the conditions laid down in an agreement covering the participation of that country or territory in any Union programme, provided that that agreement ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes, lays down the conditions of participation in the Union programmes, including the calculation of financial contributions to individual programmes and their administrative costs, does not confer on the third country any decision-making power in respect of the Union programme, and guarantees the rights of the Union to ensure sound financial management and to protect the Union's financial interests.
- (10) Therefore, the Agreement should be signed.
- (11) With the aim of ensuring timely cooperation between the Union and Australia in the field of research, technological development and innovation, and allowing for the participation of Australian entities in the Horizon Europe Programme with the status of entities from an associated country, the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union and Australia on the participation of Australia in Union programmes (the ‘Agreement’) is hereby authorised, subject to the conclusion of the Agreement.

Article 2

1. The Agreement shall be applied on a provisional basis, in accordance with Article 15(2) thereof and subject to the notifications provided for therein, pending its entry into force.
2. The date from which the Agreement is to be applied on a provisional basis shall be published in the *Official Journal of the European Union*.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
