



# International Cooperation

**DG Research and Innovation  
European Commission**

*These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union.*

# Overview (i)

## ***Legal framework for international action in EU research policy:***

- **Article 179(1) TFEU:** *The Union shall have the objective of strengthening its scientific and technological bases by achieving a European research area in which researchers, scientific knowledge and technology circulate freely, and encouraging it to become more competitive, including in its industry, while promoting all the research activities deemed necessary by virtue of other Chapters of the Treaties.*
- **Article 180(b) TFEU:** *In pursuing these objectives, the Union shall carry out the following activities, complementing the activities carried out in the Member States:*
  - (b) *Promotion of cooperation in the field of Union research, technological development and demonstration with third countries and international organisations.*

# Overview (ii)

## ***Legal basis for international agreements in the field of research:***

- **Article 186 TFEU:** *In implementing the annual framework programme the Union may make provisions for cooperation in Union research, technological development and demonstration with third countries or international organisations.*

*The detailed arrangements for such cooperation may be the subject of agreements between the Union and the third parties concerned.\**

*\* Please, note that Euratom can also conclude international agreements under Article 101 Euratom Treaty*

# Overview (iii)

## Other important Treaty provisions:

- **Article 181(1) TFEU:** *The Union and the Member States shall coordinate their research and technological development activities so as to ensure that national policies and Union policy are mutually consistent.*
- **Article 4(3) TEU:** *In the areas of research, technological development and space, the Union shall have competence to carry out activities, in particular to define and implement programmes; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs. (shared parallel competence)*

## Strategic policy documents:

- *Enhancing and focusing international cooperation in research and innovation: A strategic approach (COM(2012)497)*

# Policy Strategy for International Cooperation in R&I (i)

## **Objectives:**

- *access to the latest knowledge, best talent, data and infrastructures worldwide*
- *to tackle global societal challenges more effectively*
- *to create business opportunities in new and emerging markets*
- *to use science diplomacy as an influential instrument of external policy*

# Policy Strategy for International Cooperation in R&I (ii)

## ***Contribution to EU External Policies:***

- *A Global Strategy for the European Union's Foreign And Security Policy*
- *European Neighbourhood Policy*
- *European Development Policy*
- *EU trade policy*
- *EU policy on environment and climate change*

# International Agreements as legal tools for delivering Policy Strategy

- ***S&T Cooperation Agreements***

*With 20 countries: Algeria, Argentina, Australia, Brazil, Canada, Chile, China, Egypt, India, Japan, Mexico, Morocco, New Zealand, Russia, South Africa, South Korea, Tunisia, Ukraine, USA*

- ***Association Agreements to the Union research programme***

*Under Horizon 2020 with 16 countries: Albania, Armenia, Bosnia & Herzegovina, North Macedonia, Norway, Faroe Islands, Georgia, Iceland, Israel, Moldova, Montenegro, Serbia, Switzerland, Tunisia, Turkey, Ukraine*

- ***Agreements on terms and conditions of participation in PRIMA***

*With five countries: Algeria, Egypt, Jordan, Lebanon, Morocco*

*\* please, note this list does not contain agreements under Art.101 Euratom Treaty*

# S&T Cooperation Agreements

- *Concluded by the Union only/NOT mixed (MS are not Party)*
- *binding upon Member States and Union institutions (Article 216(2)TFEU)*
- *Duration not linked to the Union FP*
- *Each agreement establishes a Joint Committee Co-chaired by the Commission and authorities of the relevant third country (as a rule MS don't participate)*
- *Candidate countries do not accede to/ratify these Agreements*
- *MS are not prevented from keeping or negotiating new bilateral S&T agreements (but Article 181(1)TFEU applies)*



# Horizon 2020 Association Agreements (i)

- *16 countries associated to Horizon 2020 (Art 7 Horizon 2020 FP Regulation 1291/2013)*
- *Union-only agreements (not mixed); candidate countries do not accede to/ratify them*
- *Regulate specific terms and conditions regarding the participation of the Associated Country and its entities in Horizon 2020, including the financial contribution of the AC to the programme and the conditions accorded to legal entities from AC in actions under the programme*

## Horizon 2020 Association Agreements (ii)

- *Establish Joint Committee co-chaired by the Commission and the authorities of third country (as a rule EU MS don't participate)*
- *Provide for participation of delegates from AC in Programme Committee meetings as observers*
- *Provide for participation of AC representatives as observers in JRC Board of Governors*
- *Duration limited in time to the duration of the Union FP*

# PRIMA International Agreements

- *Regulate terms and conditions of participation of non-Associated third countries in PRIMA*
- *Extend the terms and conditions of Decision (EU) 2017/1324 establishing the PRIMA initiative to a non-Associated third country which concludes such an agreement (an agreement is a condition to become PRIMA Participating State)*
- *Don't establish any institutional structures*
- *Union only/NOT mixed agreements (MS are not Party)*
- *Candidate countries do not ratify/accede to them*

# Useful references

- *The EU Treaties:* <https://eur-lex.europa.eu/collection/eu-law/treaties/treaties-overview.html?locale=en>
- *EU's international S&T cooperation*  
<http://ec.europa.eu/research/iscp/index.cfm>

***Thank you very much for your  
attention!***