

Article 185 initiatives

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.

Art. 185 initiatives - Legal framework

Legal texts

- Art. 185 TFEU
- Financial Regulation
- Art. 26 of the Horizon 2020
- Horizon 2020 Rules for Participation and Dissemination

For each Article 185 initiative

- Decision adopted through the ordinary legislative procedure
- Delegation agreement: tasks entrusted to the Dedicated Implementation Structure (DIS), rules and procedures for providing Union financial contribution, protection of the financial interests of the EU, etc.

Legal basis for Article 185 TFEU

Article 185 TFEU (ex Article 169 TEC):

"In implementing the multiannual framework programme, the Union may make provision, in agreement with the Member States concerned, for participation in research and development programmes undertaken by several Member States, including participation in the structures created for the execution of those programmes"

- ➔ **Participating Member States are the driving force**
- ➔ **Co-Decision (Ordinary legislative procedure involving Commission, Parliament and Council)**
- ➔ **Heavy procedure but longer term financial stability (contractual relationship for a duration of around 10 years with 25-50% co-funding by the EU)**

Public-public partnerships in Horizon 2020 (Art.26)

1. Horizon 2020 shall contribute to the strengthening of **public-public partnerships**, as and when appropriate, where actions at regional, national or international level are jointly implemented within the Union. (...)
2. Public-public partnerships may be supported either within, or across, the priorities set out in Article 5(2), in particular through:
 - (a) an ERA-NET instrument (...)
 - (b) Union participation in programmes undertaken by several Member States in accordance with Article 185 TFEU where it is justified by the scope of objectives pursued and the scale of resources required.**

Article 185 TFEU in Horizon 2020

(Art.26)

(...) such initiatives shall only be proposed in cases where there is a need for a dedicated implementation structure and where there is a high level of commitment of the participating countries to integration at scientific, management and financial levels. In addition, proposals (...) shall be identified on the basis of all of the following criteria:

- (a) a **clear definition of the objective** to be pursued and its **relevance to the objectives of Horizon 2020** and broader Union policy objectives;
- (b) **indicative financial commitments** of the participating countries, **in cash or in kind** (...);
- (c) the added value of action at Union level;
- (d) **the critical mass**, with regard to the size and the number of programmes involved, the similarity or complementarities of activities and the share of relevant research they cover;
- (e) the **efficiency of Article 185 TFEU** as the most appropriate means for achieving the objectives.

Art.185: Default approach under Horizon 2020 for new initiatives

Rules for participation apply, e.g.

- Funding rules
- Conditions for participation (in projects, NOT to be confused with participation at programme level)
- Eligibility for funding (MS, AC, 3rd countries)

Central grant management by the DIS, Model Grant Agreement based on H2020 MGA

Cash contributions by participating states, in-kind contributions if justified by the nature of the initiative

Art.185 initiatives under Horizon 2020

Art. 185 initiatives	EU (max.)	Participating States (min)
European and Developing Countries Clinical Trials Partnership 2 (EDCTP2)	€ 683 mio	€ 683 mio
European Metrology Research Programme (EMPIR)	€ 300 mio	€ 300 mio
Eurostars2 (for SMEs)	€ 287 mio	€ 861 mio
Active and Assisted Living R&D Programme (AAL2)	€ 175 mio	€ 175 mio
Partnership for Research and Innovation in the Mediterranean Area (PRIMA)	€ 220 mio	€ 220 mio

AAL 2 -Active and Assisted Living R&D Programme

AAL 2 will accelerate the emergence and take-up of innovative ICT-based solutions for active and healthy ageing at home, in the community, or at work, thus improving the quality of life, autonomy, social inclusion, participation in social life, skills or employability of older adults and contributing to increasing the efficiency and effectiveness of health and social care provision.

Programme Duration: 2014 - 2022

Participating States: Austria, Belgium, Cyprus, Denmark, France, Hungary, Ireland, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden and the United Kingdom

Budget: Euro 350 million, of which up to €175 million from the EU

EDCTP2 - European & Developing Countries Clinical Trials Partnership

Accelerate the development of new or improved drugs, vaccines, microbicides and diagnostics against HIV/AIDS, tuberculosis and malaria, with focus on phase II and III clinical trials in sub-Saharan Africa.

Programme Duration: 2014 - 2024

Participating States: Austria, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, and the United Kingdom

Budget: Euro 1366 million, of which up to €683 million from the EU



EMPIR - European Programme for Metrology Research and Innovation

EMPIR will integrate 50% of the research of National Metrology Institutes in Europe into a single initiative. EMPIR strengthens European Leadership in providing appropriate, integrated and fit-for-purpose measurement solutions that support our industrial competitiveness and to address societal challenges such as health, energy or environment.

Programme Duration: 2014 - 2024

Participating States: Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Norway, Spain, the Netherlands, Poland, Portugal, Romania, Serbia, Slovenia, Slovakia, Sweden, Turkey and the United Kingdom

Budget: Euro 600 million, of which up to €300 million from the EU

Eurostars2 - Joint research programme for R&D performing SMEs

Eurostars2 will pursue the same objectives as Eurostars1 but in a strengthened way, through a reinforced partnership, aimed at involving even more SMEs and in particular those without previous transnational research experience and at rapping the benefit of a stronger harmonisation and synchronisation of national programmes.

Programme Duration: 2014 - 2022

Participating States: Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey and the United Kingdom

Budget: Up to Euro 1148 million, of which up to €287 million from the EU

PRIMA - Partnership for Research and Innovation in the Mediterranean Area

PRIMA aims to build research and innovation capacities and to develop knowledge and common innovative solutions for agro-food systems, and for integrated water provision and management in the Mediterranean area.

Programme Duration: 2018 - 2024

Participating States: Algeria, Croatia, Cyprus, Egypt, France, Germany, Greece, Israel, Italy, Jordan, Lebanon, Luxembourg, Malta, Morocco, Portugal, Spain, Slovenia, Tunisia, Turkey

Budget: At least Euro 440 million, of which up to €220 million from the EU

Participation in the current Art.185

- Participating States
Member States and Associated Countries that are explicitly mentioned in the basic act
- Open to additional countries
Member States and Associated Countries that not are explicitly mentioned in the basic act: contact the initiative to agree on participation
- Third countries
Only if the basic act provides for this possibility, and subject to the conclusion of an international agreement
➔ not possible for the current Art.185 initiatives

Thank you for your attention!

Any questions?

Contact

DG Research & Innovation