



2023/2621

21.11.2023

COUNCIL DECISION (EU) 2023/2621

of 9 November 2023

authorising the opening of negotiations for agreements, in the form of an Exchange of Letters, amending and supplementing the agreements for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco, respectively, setting out the terms and conditions for their participation with regard to Horizon Europe in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽¹⁾ lays down the terms and conditions for the participation of Member States and third countries ('Participating States') in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA), in particular their financial obligations and their participation in the governing structures of PRIMA.
- (2) Regulation (EU) No 1291/2013 of the European Parliament and of the Council ⁽²⁾ established the Framework Programme for Research and Innovation (2014-2020) ('Horizon 2020'). The Union financial contribution to PRIMA is funded from the appropriations in the general budget of the Union allocated to the relevant parts of the specific programme implementing Horizon 2020 established by Council Decision 2013/743/EU ⁽³⁾.
- (3) Nineteen countries have agreed to jointly undertake PRIMA by committing financial contributions, namely Croatia, Cyprus, France, Germany, Greece, Italy, Luxembourg, Malta, Portugal, Slovenia and Spain; third countries associated to Horizon 2020, namely Israel, Tunisia and Türkiye; and third countries not associated to Horizon 2020, namely Algeria, Egypt, Jordan, Lebanon and Morocco.
- (4) Under Decision (EU) 2017/1324, all Participating States are to have the same rights and obligations. Under Article 1(2) of Decision (EU) 2017/1324, Algeria, Egypt, Jordan, Lebanon and Morocco are to become Participating States subject to the conclusion of international agreements for scientific and technological cooperation with the Union setting out the terms and conditions of their participation in PRIMA.

⁽¹⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).

⁽²⁾ Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).

⁽³⁾ Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).

- (5) The Agreements for scientific and technological cooperation between the Union and Algeria ⁽⁴⁾, Egypt ⁽⁵⁾, Jordan ⁽⁶⁾, Lebanon ⁽⁷⁾ and Morocco ⁽⁸⁾, respectively, setting out the terms and conditions for their participation in PRIMA (the ‘STC Agreements’) will remain in force for as long as Decision (EU) 2017/1324 is in force.
- (6) Pursuant to Article 2 of the STC Agreements, implementing arrangements for mutual assistance (the ‘implementing arrangements’) were signed between the Union and the respective authorities of Algeria, Egypt, Jordan, Lebanon and Morocco. The implementing arrangements concern, in particular, the application of Article 10(2) and Article 11(3) and (4) of Decision (EU) 2017/1324 regarding the indirect actions funded by the Union referred to in Article 6(1)(a) of Decision (EU) 2017/1324.
- (7) The Commission has submitted a proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2017/1324 as regards the continuation of the Union’s participation in PRIMA under Horizon Europe, with the aim of extending the Union financial contribution to PRIMA, for the period 2025-2027, from appropriations in the general budget of the Union allocated to the relevant parts of the Specific Programme implementing Horizon Europe, as established by Council Decision (EU) 2021/764 ⁽⁹⁾.
- (8) Algeria, Egypt, Jordan, Lebanon and Morocco expressed their interest to continue participating in PRIMA with regard to Horizon Europe. In order to ensure continuation of their participation and engagement on an equal footing with all Participating States, Algeria, Egypt, Jordan, Lebanon and Morocco, which are not associated to Horizon Europe, are to formally accept the new terms and conditions set out by Decision (EU) 2017/1324 by concluding agreements with the Union, in the form of an Exchange of Letters, amending and supplementing the STC Agreements, including the implementing arrangements signed pursuant to Article 2 of the STC Agreements,

HAS ADOPTED THIS DECISION:

Article 1

1. The Commission is hereby authorised to open negotiations, on behalf of the Union, for agreements, in the form of an Exchange of Letters, amending and supplementing the Agreements for scientific and technological cooperation between the European Union and the People’s Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco, respectively, setting out the terms and conditions for their participation with regard to Horizon Europe in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA).

⁽⁴⁾ Agreement for scientific and technological cooperation between the European Union and the People’s Democratic Republic of Algeria setting out the terms and conditions for the participation of the People’s Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (OJ L 316, 1.12.2017, p. 3).

⁽⁵⁾ Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (OJ L 316, 1.12.2017, p. 9).

⁽⁶⁾ Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for the participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (OJ L 348, 29.12.2017, p. 29).

⁽⁷⁾ Agreement for scientific and technological cooperation between the European Union and the Republic of Lebanon setting out the terms and conditions for the participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (OJ L 79, 22.3.2018, p. 3).

⁽⁸⁾ Agreement for scientific and technological cooperation between the Kingdom of Morocco and the European Union setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (OJ L 106, 26.4.2018, p. 3).

⁽⁹⁾ Council Decision (EU) 2021/764 of 10 May 2021 establishing the Specific Programme implementing Horizon Europe – the Framework Programme for Research and Innovation, and repealing Decision 2013/743/EU (OJ L 167 I, 12.5.2021, p. 1).

2. The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 2

The negotiations shall be conducted in consultation with the Special Committee provided for in Article 218(4) of the Treaty on the Functioning of the European Union.

Article 3

This Decision is addressed to the Commission.

Done at Brussels, 9 November 2023.

For the Council
The President
N. CALVIÑO SANTAMARÍA

ANNEX

DIRECTIVES FOR THE NEGOTIATION OF AGREEMENTS, IN THE FORM OF AN EXCHANGE OF LETTERS, AMENDING AND SUPPLEMENTING THE AGREEMENTS FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION BETWEEN the European Union and the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco, setting out the terms and conditions for their participation with regard to Horizon Europe in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States.

The agreements signed with the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco provided for the terms and conditions for the participation in PRIMA of those third countries not associated to Horizon 2020. The terms and conditions are those set out in Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽¹⁾ and those agreements shall remain in force for as long as Decision (EU) 2017/1324 is in force.

Decision (EU) 2017/1324 is to be amended to extend the Union financial contribution to PRIMA for the period 2025-2027 from appropriations in the general budget of the Union allocated to Horizon Europe. Therefore, for their continued participation in PRIMA, the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco must formally accept the new obligations resulting from Decision (EU) 2017/1324. Agreements, in the form of an exchange of letters, supplementing the current agreements must be negotiated and concluded with the purpose of extending those new rights and obligations to the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco.

The agreements amending and supplementing the current agreements must regulate the new obligations of the third countries concerned as regards the Union, preferably by making direct reference to the new terms and conditions set out by Decision (EU) 2017/1324. The new obligations must include any new terms and conditions regarding their financial contribution and the protection of the financial interests of the Union, including the involvement of the European Public Prosecutor's Office (EPPO). The agreements must integrate the implementing arrangements for mutual assistance established in accordance with the current agreements.

In order to allow the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Republic of Lebanon and the Kingdom of Morocco to continue participating in the PRIMA initiative, the agreements must provide for provisional application upon signature.

⁽¹⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).