EC-Euratom/Switzerland agreement: Scientific and Technological Cooperation

2007/0106(CNS) - 25/02/2008 - Final act

PURPOSE: to conclude the “Agreement on Scientific and Technical Cooperation” between the Community and the Swiss Confederation.

LEGISLATIVE ACT: Council and Commission Decision (2008/270/EC) concerning the conclusion on behalf of the European Community and the European Atomic Energy Community of the Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Community, of the one part, and the Swiss Confederation, of the other part.

BACKGROUND: Swiss participation on the Communities’ Research and Development Programmes dates back to a 1999 Agreement on Scientific and Technological Cooperation between the European Community, the European Atomic Energy Community and the Swiss Confederation. (see AVC/1999/0106). With every subsequent Framework Programme (5th and 6th) this Agreement has been renewed. Negotiations regarding Swiss participation on the 7th (current) Framework Programme were concluded in February 2007 and a provisional Agreement approved in June 2007.

CONTENT: the purpose of this Commission Decision is to conclude the Agreement on Scientific and Technical Cooperation, between the Community and the Swiss Confederation. The renewed Agreement is based on the same principles as those set out in the previous Agreement and is based on the principles of:

- mutual benefit;
- reciprocal opportunities for participating in each party’s programme and activities in areas covered by the Agreement;
- non-discrimination;
- effective protection of intellectual property; and
- the equitable sharing of intellectual property rights.

Switzerland’s contribution to the budget of the 7th Framework Programme will be calculated according to the same methodology applied under previous Agreements. Any new features of the 7th Framework Programme have, however, been incorporated into the revised Agreement. In other measures, the new Agreement provides:

- for the possible participation of Switzerland in the legal structures created by Article 169 and 171 of the TEU, subject to the same rules that are to be adopted for the establishment of these legal structures and provided that these rules apply in Switzerland;
- that the Swiss/European Research Committee be allowed to decide on the applicability of these rules in Switzerland;
- that the Swiss/ European Research Committee be the appropriate body to identify, on request, those regions of Switzerland that fulfil the criteria for “eligible regions” benefiting from research actions under the work programme “research potential” linked to the Capacities specific programme;
- that the Agreement will apply provisionally from 1 January 2007 so that it coincides with the application of the 7th Research Programme;
- for a Joint Declaration of the contracting parties on a close dialogue on the new structures implementing Article 169 and 171 of the EC Treaty.

A number of Annexes are attached to the Agreement concerning: principles on the allocation of IPR; financial rules governing the contribution of Switzerland; and financial Control of Swiss participation in the Community Programme.

ENTRY INTO FORCE: The Regulation enters into force on the dates of the final notification of completion of the procedures necessary to this end. It applies provisionally as of 1 January 2007.