Basic information

2007/0106(CNS) CNS - Consultation procedure Decision	Procedure completed
EC-Euratom/Switzerland agreement: Scientific and Technological Cooperation **Subject** 3.50.02 Framework programme and research programmes 6.40.01 Relations with EEA/EFTA countries **Geographical area** Switzerland	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	ITRE Industry, Research and Energy	NIEBLER Angelika (PPE-DE)	26/06/2007
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Competitiveness (Internal Market, Industry, Research and Space)	2852	2008-02-25
	Competitiveness (Internal Market, Industry, Research and Space)	2811	2007-06-25
European Commission	**Commission DG**	**Commissioner**	
	Research and Innovation	POTOČNIK Janez	

Key events

Date	Event	Reference	Summary
01/06/2007	Legislative proposal published	COM(2007)0305	Summary
12/07/2007	Committee referral announced in Parliament		
01/10/2007	Vote in committee		Summary
12/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0377/2007	
23/10/2007	Decision by Parliament	T6-0437/2007	Summary
23/10/2007	Results of vote in Parliament		
25/02/2008	Act adopted by Council after consultation of Parliament		

25/02/2008	End of procedure in Parliament		
28/03/2008	Final act published in Official Journal		

Technical information

Procedure reference	2007/0106(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	Euratom Treaty A 101-p2 EC Treaty (after Amsterdam) EC 300-p2-a1 EC Treaty (after Amsterdam) EC 170
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/6/50136

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE393.991	13/09/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0377/2007	12/10/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0437/2007	23/10/2007	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2007)0305	01/06/2007	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2008/0270
OJ L 086 28.03.2008, p. 0025 Summary

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 (5^{th} and 6^{th}) this Agreement has been renewed. Negotiations regarding Swiss participation on the 7^{th} (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 7^{th} Framework Programme will be calculated according to the same methodology applied under previous Agreements. Any new features of the 7^{th} 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 7^{th} 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.

EC-Euratom/Switzerland agreement: Scientific and Technological Cooperation

2007/0106(CNS) - 23/10/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Angelika **NIEBLER** (PPE-DE, DE) by 646 votes in favour to 11 against with 8 abstentions, and approved the proposal on the conclusion on behalf of the EC and the European Atomic Energy Community of the Agreement on Scientific and Technological Cooperation between the European Communities of the one part and the Swiss Confederation of the other part.

EC-Euratom/Switzerland agreement: Scientific and Technological Cooperation

2007/0106(CNS) - 01/06/2007 - Legislative proposal

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

PROPOSED ACT: Decision of the Council and of the Commission.

BACKGROUND: the association of Switzerland to the Communities' Framework Programmes for Research and Development (FP) was launched by the Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community of the one part and the Swiss Confederation of the other part of 21 June 1999 (see AVC/1999/0106). Due to the late entry into force of the agreement on 1 June 2002, the full association of Switzerland to FP 5 could not be achieved.

The 1999 Agreement was renewed for the participation of Switzerland in FP 6. The renewed agreement was signed on 16 January 2004 entered into force on 16 May 2006 (CNS/2005/0135). This time the provisional application of the agreement, which started upon signature with legal effect as of 1 January 2004, made it possible that Swiss research entities could fully participate in the

specific programmes and actions throughout the entire operation of FP 6.

Article 9(2) of this agreement provided for a renewal of the agreement should the Communities adopt new Framework Programmes. On 30 March 2006 the Swiss Confederation officially requested the Commission to renew the abovementioned agreement with a view to being associated to the 7th (EC and Euratom) Framework Programmes for Research and Development (FP7).

These negotiations were completed on 27 February 2007.

CONTENT: the purpose of this Regulation, therefore, is to conclude an "Agreement on Scientific and Technological Co-operation between the European Communities and the Swiss Confederation". The draft Agreement 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.

The renewed Agreement is based on the same principles as those set out in the previous Agreement. For example, Switzerland's contribution to the budget of the 7th Framework Programme is calculated using the same methodology as applied under the Agreement covering the 6th Framework Programme. At the same time any new features of the 7th Framework Programme have been taken into account and 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.

In addition, a number of Annexes are attached concerning:

- principles on the allocation of IPR;
- financial rules governing the contribution of Switzerland; and
- financial Control of Swiss participation in the Community Programme.

Bearing the above in mind, the Commission proposes that the Council firstly approve, on behalf of the European Community both Decisions on the new Agreement and that it notify the Swiss authorities that the Community has completed the procedures necessary for the entry into force of the Agreement.

It should be noted that the financial statement attached provides for:

- a total reference amount of EUR 1 099 million;

- a specific method of calculation to establish the amount of the financial contribution from Switzerland for its participation in the 7th Framework Programme (EUR 150.741 million in 2007).