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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	12007/25; 12005/25
No. Cion doc.:	11765/1/25 REV 1; 11749/25
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe, the Framework Programme for Research and Innovation, for the period 2028-2034 laying down its rules for participation and dissemination, and repealing Regulation (EU) 2021/695 Proposal for a COUNCIL DECISION on establishing the Specific Programme implementing Horizon Europe - the Framework Programme for Research and Innovation for the period 2028-2034, laying down the rules for participation and dissemination under that Programme, and repealing Decision (EU) 2021/764 - Presidency compromise text on the general provisions

Delegations will find attached a Presidency compromise text on Block I (general provisions): Framework Programme (Art. 1 to 10; 35 to 37) and Specific Programme (Art. 1 to 4; 18 to 21) .

Changes in comparison to document 12007/25 and 12005/25 are marked in ~~strikethrough~~ for deletions and in **bold underline** for additions. Text in ***bold italics*** corresponds to topics which require further discussion.

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ANNEX

PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING HORIZON EUROPE, THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION, FOR THE PERIOD 2028-2034 LAYING DOWN ITS RULES FOR PARTICIPATION AND DISSEMINATION, AND REPEALING REGULATION (EU) 2021/695

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Title I – The Framework Programme for Research and Innovation

Chapter I

General Provisions

Article 1

Subject matter

1. This Regulation establishes Horizon Europe - the Framework Programme for Research and Innovation (the 'Programme') [for the period of the Multiannual Financial Framework (the 'MFF') 2028-2034] and sets out the rules for participation and dissemination concerning indirect actions under the Programme and determines the framework governing the Union support for Research and Innovation activities for the same duration. It also lays down the objectives of the Programme and its budget for that period, the forms of Union funding and the rules for providing such funding.

2. [The Programme shall be implemented through:

   (a) the Specific Programme established by Council Decision XX including the collaborative research activities of the policy windows as set out in the European Competitive Fund Regulation.

   (b) the Specific Programme on defence research established by Regulation (EU)[XXX] [European Competitiveness Fund].

3. This Regulation shall not apply to the Specific Programme on defence research referred to in paragraph 2, point (b). Activities to be carried out under this Specific Programme and which are laid down in Regulation (EU)[XXX][European Competitiveness Fund] shall aim to foster the competitiveness, efficiency and innovation capacity of the European defence technological and industrial base.**]**

4. The terms Horizon Europe, 'the Programme' and 'Specific Programme' used in this Regulation refer to matters relevant only to the Specific Programme referred to in paragraph 2, point (a), unless otherwise specified.

Recitals

(1) It is an objective of the Union to strengthen its scientific and technological bases by strengthening the European research area (ERA) in which researchers, scientific knowledge and technology circulate freely and encouraging it to become more competitive, including in its industry, while promoting all research and innovation (R&I) activities to deliver on the Union's strategic priorities and commitments, which ultimately aim to promote peace, the Union's values and the well-being of its peoples.

(2) To deliver scientific, technological, economic, environmental and societal impact and to maximise the added value of the Union's R&I investments, the Union should invest in research and innovation through Horizon Europe - the Framework Programme for Research and Innovation for the period 2028-2034 (the 'Programme'), which should strengthen **excellence,** competitiveness, resilience, sustainability, **scientific and** technological leadership, and social cohesion.

(5) In a rapidly changing economic, social and geopolitical environment, recent experience has shown the need for a more flexible multiannual financial framework and its Union spending programmes. To that effect, and in line with the objectives of the Programme, the funding should duly consider the evolving policy needs and Union's priorities as identified in relevant documents published by the Commission, European Parliament resolutions and in Council conclusions, while ensuring sufficient predictability for the budget implementation.

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(7) The Programme should contribute to increasing public and private investment in R&I in Member States, thereby helping to reach an overall investment target of at least 3% of the Union's gross domestic product (GDP) in research and development. Member States' investment in R&I should be assessed with the help of the framework for the coordination of economic, budgetary, employment and social policies within the Union – the European Semester process. Achieving that target would require Member States and the private sector to complement the Programme with their own reinforced investment actions in research, development and innovation. The Union has made steady progress in increasing research and development investments but is lagging behind other global leaders. The 3% target mentioned above, set over two decades ago acknowledged the importance of research and development as a foundation for a knowledge-based society. While the target encouraged various Member States to set their own research and development intensity goals, significant disparities remain as only a few Member States have reached or exceeded their investment ambition.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'research infrastructures' are facilities that provide resources and services to conduct research and foster innovation in their fields ***, including the associated human resources, major equipment or sets of instruments; knowledge-related facilities such as collections, archives or scientific data infrastructures; computing systems, communication networks and any other infrastructure of a unique nature and open to external users, essential to achieve excellence in R&I; they may, where relevant, be used beyond research, for example for education or public services and they may be 'single sited', 'virtual' or 'distributed'*** *;*

(2) 'technology infrastructures' are facilities, equipment, capabilities and resources required to develop, test, upscale and validate technology ***up to small scale production*** *- from pre-competitive applied research services up to demonstration and validation,* ***enabling and accelerating technological innovations towards societal/market adoption, fostering industrial competitiveness*** *;*

(3) 'non-bankable' means that the legal entity is not yet able to attract sufficient investment to fully implement its business plan and compete internationally;

(4) 'blended finance' means financial support provided under the European Innovation Council ('EIC') consisting of a combination of a grant and an investment ***in equity or other repayable form of support****;*

(5) 'deep tech' means an innovation with the potential to deliver transformative solutions and that is based on cutting-edge advances in science, technology and engineering;

(6) 'European Partnership' means an initiative, where the Union together with private and/or public partners commit to jointly supporting the development, implementation and evaluation of a programme of activities, and where the costs are shared between all partners;

(7) 'open access' means online access to ~~*results*~~ ***research outputs****, provided free* ***of charge*** *to the end user;*

(8) 'open science' means an approach to the scientific process that includes early and open sharing of research, open access to and responsible management of results, reproducibility measures, and involving citizens and end users in research and innovation;

(9) 'pre-commercial procurement' means ~~*the*~~ ~~public or private~~ *procurement of research and development services involving risk-benefit sharing under market conditions, and competitive development in phases, where there is a clear separation of the research and development services procured from the deployment of commercial volumes of end-products;*

(10) 'procurement of innovative solutions' means ~~public or private~~ *procurement where procurers act as a launch customer for innovative goods or services which are not yet available on a large-scale commercial basis, and may include conformity testing;*

(11) 'background' means any data, knowledge or know how whatever its form or nature, tangible or intangible, including any rights such as intellectual property rights, that is held prior to the accession to a given action;

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(11a) 'dissemination' means the public disclosure of the result by appropriate means, other than resulting from protecting or exploiting the results, including by scientific publications in any medium;

(12) 'valorisation' means the use of results in further activities other than those covered by the action concerned, including commercial deployment;

(12a) 'fair and reasonable conditions' means appropriate conditions, including possible financial terms or royalty-free conditions, taking into account the specific circumstances of the request for access, for example the actual or potential value of the results or background to which access is requested and/or the scope, duration or other characteristics of the exploitation envisaged;

(13) 'international European research organisation' means an international organisation, the majority of whose members are Member States or associated countries, whose principal objective is to promote scientific and technological cooperation in Europe;

(14) 'for profit legal entities' means a legal entity which by its legal form is for profit making or which has a legal or statutory purpose to distribute profits to its shareholders or individual members;

(15) 'small or medium-sized enterprise' or 'SME' means a micro, small or medium-sized enterprise as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC[1]*;*

(16) 'small mid-cap' means a small mid-cap enterprise as defined in point 2 of the Annex to Commission Recommendation (EU) 2025/1099[2]*;*

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1 Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

2 Commission Recommendation (EU) 2025/1099 of 21 May 2025 on the definition of small mid-cap enterprises (OJ L, 28.5.2025, p. 1)

(16a) [Placeholder for definitions on startups and scaleups]

(17) 'results' means any tangible or intangible outcome of a given action, such as data, knowledge or know-how, whatever its form or nature and whether or not it can be protected, as well as any rights attached to it, including intellectual property rights;

(17a) 'Competitiveness Seal' means a quality label awarded to a proposal submitted to a call for proposals that meets all the quality requirements set out in the award procedure but might receive support from other Union or national funding sources;

(18) 'ERC frontier research action' means a principal investigator-led research action, including ERC Proof of Concept, hosted by single or multiple beneficiaries receiving funding from the European Research Council (ERC);

~~*(19) 'research and training action' means an action geared towards the improvement of the skills, knowledge and career prospects of researchers, promoting mobility between countries, sectors or disciplines;*~~

(20) 'coordination and support action' means an action contributing to the objectives of the Programme, excluding research and innovation (R&I) activities, except when undertaken under the component 'widening participation and spreading excellence' of the part IV 'European Research Area'; and bottom-up coordination without co-funding of research activities from the Union that allows for cooperation between legal entities from Member States and associated countries in order to strengthen the ERA;

(21) 'indirect actions' means R&I related activities to which the Union provides financial support and which are undertaken by participants;

(22) 'direct actions' means R&I related activities undertaken by the Commission through its JRC;

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(23) 'innovation ecosystem' means an ecosystem which brings together at Union level organisations whose functional goal is to enable technology development and innovation and which encompasses relations between material resources (such as funds, equipment, and facilities, including research and technology infrastructures), institutional entities (such as higher education institutions and support services, research and technology organisations, companies, investors - including venture capitalists - and financial intermediaries) and national, regional and local policy-making and funding entities.

*(24) 'knowledge triangle' means ~~the creation of~~ networks between education institutions, research organisations and business with the aim to ~~create~~ **support** innovation ecosystems that cater for ~~the creation of~~ **the development of** an innovation pipeline from the inception of innovation through entrepreneurial education to the creation of startups and the growth of scale-ups.*

Article 3

Programme objectives

1. In line with the general and specific objectives of the European Competitiveness Fund, the Programme shall strengthen the EU's **prosperity,** competitiveness, **sovereignty and resilience,** scientific **and** technological base**s**, and address global challenges based on excellent research and innovation **across the Union**.

2. The specific objectives of the Programme are **to**:

   – **Develop, promote and advance scientific and technological excellence to support the creation and diffusion of high-quality new fundamental and applied knowledge, of skills, technologies and solutions.**

   – ~~Create high-quality knowledge, skills and attractive careers for researchers and support the realisation of the European Research Area (ERA)~~.

   – **Support training and mobility of researchers, to attract and retain talent at all levels and foster attractive research careers.**

   – Increase EU-wide and international collaborative research **and innovation**, knowledge sharing and valorisation.

– Align EU, national and regional priorities to create a pan-European research and innovation ecosystem.

– Reduce national and regional disparities in research and innovation capacity~~,~~ **and** skills~~, and talent~~ to strengthen innovation ecosystems.

– Improve the Union's position in **research and** innovation, with a specific focus on strategic technologies and disruptive innovation, facilitate the diffusion of innovative solutions through standardisation activities to foster competitiveness and address key societal challenges.

– De-risk and mobilise more private research and innovation financing, particularly for supporting deep tech and the scaling up of innovative startups and SMEs.

– Contribute to increasing public and private investment in research and innovation in Member States, thereby contributing to reach an overall expenditure of at least 3% of Union Gross Domestic Product ('GDP') in research and development.

– **Support the realisation of the European Research Area (ERA).**

Recital

(3) **[**The Programme should be tightly connected with Regulation (EU) [XXX]* of the European Parliament and of the Council [European Competitiveness Fund][3] by placing research and innovation at the heart of the Union's economy and investment strategy.**]**

[3] OJ C […], […], p. […]

Article 4

Programme structure

3. **[**For the purposes of the Specific Programme referred to in Article 1(2), the Programme shall be structured in parts as follows, which contribute to the general and specific objectives set out in Article 3 and the policy windows of Regulation (EU) XXX [European Competitiveness Fund]**]**:

(a) ~~Part~~ **Pillar** I 'Excellent Science', with the following components~~, in particular~~:

(i) the European Research Council (ERC);

(ii) Marie Skłodowska-Curie Actions (MSCA).

(iii) ***Science for Union policies: non-nuclear direct actions of the Joint Research Centre (JRC).***

(b) ~~Part~~ **Pillar** II 'Competitiveness and Society', with the following components~~, in particular~~:

i) 'Competitiveness', including research and innovation activities in support of ~~policies~~ **the policy windows** under the European Competitiveness Fund~~, such as~~:

(1) collaborative research and innovation activities under Chapter IV 'Clean Transition and Industrial Decarbonisation' of the European Competitiveness Fund;

(2) collaborative research and innovation activities under Chapter V 'Health, Biotech, Agriculture and Bioeconomy' of the European Competitiveness Fund;

(3) collaborative research and innovation activities under Chapter VI 'Digital Leadership' of the European Competitiveness Fund;

(4) collaborative research and innovation activities under Chapter VII 'Resilience and Security, Defence Industry and Space' of the European Competitiveness Fund.

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ii) 'Society', including research and innovation activities~~, such as~~:

(1) global societal challenges;

(2) EU Missions;

(3) the New European Bauhaus Facility;

(c) ~~Part~~ **Pillar** III 'Innovation', with the following components~~, in particular~~:

(i) the European Innovation Council (EIC);

(ii) Innovation ecosystems including activities to foster the integration of the knowledge triangle – higher education, research and innovation, and business – across the Union.

(d) ~~Part~~ **Pillar** IV 'European Research Area', with the following components~~, in particular~~:

(i) reforming and enhancing the European R&I system;

(ii) research and technology infrastructures;

(iii) widening participation and spreading excellence.

Article 5

Horizontal principles

The Programme shall:

(a) ensure a multidisciplinary approach, where appropriate, and provide for the integration of social sciences and humanities (SSH) across all components under the Programme, including specific calls for proposals on SSH related topics.

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(b) advance scientific knowledge and contribute to the creation of informed, effective, and responsive public policies across the Union and beyond. The Programme shall actively promote the use of the results of publicly funded research and of scientific evidence in policy-making processes at all levels, fostering stronger links between research, innovation, and the development of evidence-informed public policies. This shall include encouraging collaborative mechanisms, R&I initiatives and science-for-policy interfaces connecting policy makers with the scientific community, as well as facilitating the use of research outcomes in shaping future legislative and regulatory frameworks at all levels. Special emphasis shall be placed on ensuring that scientific insights are accessible and relevant to decision makers and citizens, with instruments for the effective use of research results, policy briefs, and recommendations.

(ba) cover all parts of the research and innovation value chain, from basic curiosity-driven research to breakthrough innovation.

(c) encourage open science practices including by ensuring open access to peer-reviewed scientific publications regarding results, as well as open access to research data and other results following the **research security** principle 'as open as possible, as closed as necessary'.

(ca) ensure administrative simplification and the reduction of the burden for the applicants and beneficiaries.

(cb) ensure the effective promotion of equal opportunities for all and the implementation of gender equality, including the integration of the gender dimension in R&I content.

Recitals

(4) The Union should furthermore aim to eliminate inequalities, and to promote **gender** equality~~, between men and women~~, as well as to combat discrimination in accordance with Article 8 and Article 10 of the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union.

(18) The Programme should ensure the effective promotion and protection of values and principles of the European Research Area and the Pact for Research and Innovation[4], notably ethics and integrity in research and innovation, freedom of scientific research, science for policy, gender equality and equal opportunities, non-discrimination, open science and the promotion of attractive research careers and mobility. In particular, the Programme should ensure the effective promotion of equal opportunities for all and the implementation of gender mainstreaming, including the integration of the gender dimension in R&I content. It should aim to address the causes of gender imbalance. Particular attention should be paid to ensuring~~,~~ ~~to the extent possible,~~ gender balance in evaluation panels and in other relevant advisory bodies such as boards and expert groups.

[*Article 6*

Budget

4. The indicative financial envelope of the Programme for the period 1 January 2028 to 31 December 2034 shall be EUR 175 002 000 000 in current prices.

5. The indicative distribution of the amount referred to in paragraph 1 of this Article for the Specific Programme referred to in Article 1(2)(a), shall be:

(a) EUR 44 079 000 000 for Part I 'Excellent Science', of which EUR 2 600 000 000 for non-nuclear direct actions of Joint Research Centre (JRC).

(b) EUR 75 876 000 000 for Part II 'Competitiveness and Society', of which:

i. EUR 68 270 000 000 for 'Competitiveness' of which:

EUR 25 331 000 000 for collaborative research and innovation activities under Chapter IV 'Clean Transition and Industrial Decarbonisation' of the European Competitiveness Fund;

[4] Council Recommendation (EU) 2021/2122 of 26 November 2021 on a Pact for Research and Innovation in Europe, OJ L 431, 2.12.2021, p. 1, ELI: http://data.europa.eu/eli/reco/2021/2122/oj.

EUR 19 650 000 000 for collaborative research and innovation activities under Chapter V 'Health, Biotech, Agriculture and Bioeconomy' of the European Competitiveness Fund;

EUR 16 854 000 000 for collaborative research and innovation activities under Chapter VI 'Digital Leadership' of the European Competitiveness Fund;

EUR 6 435 000 000 for collaborative research and innovation activities under Chapter VII 'Resilience and Security, Defence Industry and Space' of the European Competitiveness Fund.

ii. EUR 7 606 000 000 for 'Society.

(c) EUR 38 785 000 000 for Part III 'Innovation'.

(d) EUR 16 262 000 000 for Part IV 'European Research Area', of which EUR 5 387 000 000 for widening participation and spreading excellence.

1. The amount referred to in paragraph 1 of this Article and the amounts of additional resources referred to in Article 7 may also be used for technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities, information technology systems and platforms, information and communication activities, including corporate communication on the political priorities of the Union, and all other technical and administrative assistance or staff-related expenses incurred by the Commission for the management of the Programme.

2. If necessary to enable the management of actions not completed by 31 December 2034, appropriations may be entered in the Union budget beyond 2034 to cover the expenses necessary and to enable the management of actions not completed by the end of the Programme.

3. Budgetary commitments for actions extending over more than one financial year may be broken down into annual instalments over several years. ‖

PUBLIC

Recitals

(31) [This Regulation lays down an indicative financial envelope for Horizon Europe, the Framework Programme for Research and Innovation for the period 2028-2034.]

Article 7

Additional resources

1. Member States, Union institutions, bodies and agencies, third countries, international organisations, international financial institutions, or other third parties, may make additional financial or non-financial contributions to the Programme. Additional financial contributions shall constitute external assigned revenue within the meaning of Article 21(2), points (a), (d), or (e) or Article 21(5) of Regulation (EU, Euratom) 2024/2509.

2. Resources allocated to Member States under shared management may, at their request, be made available to the Programme. The Commission shall implement those resources directly or indirectly in accordance with Article 62(1), point (a) or (c) of Regulation (EU, Euratom) 2024/2509. They shall be additional to the amount referred to in Article 6(1) of this Regulation. Those resources shall be used for the benefit of the Member State concerned. Where the Commission has not entered into a legal commitment under direct or indirect management for additional amounts thus made available to the Programme, the corresponding uncommitted amounts may, at the request of the Member State concerned, be transferred back to one or more respective source programmes ~~or their successors~~.

Article 8

Alternative, combined and cumulative funding

1. The Programme shall be implemented in synergy with other Union programmes. An action that has received a Union contribution from another programme may also receive a contribution under this Programme. The rules of the relevant Union programme shall apply to the corresponding contribution or a single set of rules may be applied to all contributions and a single legal commitment may be concluded. If the Union contribution is based on eligible costs, the cumulative support from the Union budget shall not exceed the total eligible costs of the action and may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

2. Award procedures under the Programme may be jointly conducted under direct or indirect management with Member States, Union institutions, bodies and agencies, third countries, international organisations, international financial institutions, or other third parties, provided the protection of the financial interests of the Union is ensured. Such procedures shall be subject to a single set of rules and lead to the conclusion of single legal commitments. For that purpose, the partners to the joint award procedure may make resources available to the Programme in accordance with Article 7 of this Regulation, or the partners may be entrusted with the implementation of the award procedure, where applicable in accordance with Article 62(1), point (c), of Regulation (EU, Euratom) 2024/2509. In joint award procedures, representatives of the partners to the joint award procedure may also be members of the evaluation committee referred to in Article 153(3) of Regulation (EU, Euratom) 2024/2509~~,~~**.**

3. Under this programme, in addition to the conditions set out in Article 8(1) and (2) of Regulation (EU) XXX [European Competitiveness Fund], a Competitiveness Seal shall be awarded only to high-quality actions that have not been financed under the Programme due to budgetary constraints.

4. The Member States may finance actions to which a Competitiveness Seal was awarded.

Article 9

Third countries associated to the Programme

1. The Programme may be opened to the participation of the following third countries through full or partial association, in accordance with the objectives laid down in Article 3 and in accordance with the relevant international agreements or any decisions adopted under the framework of those agreements and applicable to:

   (a) members of the European Free Trade Association which are members of the European Economic Area, as well as ~~European micro-states~~ **Andorra, Monaco and San Marino**;

   (b) acceding countries, candidate countries and potential candidates;

   (c) European Neighbourhood Policy countries;

   (d) other third countries.

2. The association agreements for participation in the Programme shall:

(a) ensure a fair balance ~~as regards~~ **between** the contributions and benefits of the third country participating in the Programme;

(b) lay down the conditions of participation in Programme, including the calculation of financial contributions, consisting of an operational contribution and a participation fee, to the Programme and its general administrative costs;

(c) not confer on the third country any decision-making power in the Programme;

(d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests.

(e) where relevant, ensure the protection of security and public order interests of the Union.

3. For the purposes of paragraph 2, point (d), the third country shall grant the necessary rights and access required under Regulations (EU, Euratom) 2024/2509 and (EU, Euratom) No 883/2013, and guarantee that enforcement decisions imposing a pecuniary obligation on the basis of Article 299 TFEU, as well as judgments and orders of the Court of Justice of the European Union, are enforceable.

4. For the purpose of paragraph 1, point (d), association or partial association with other third countries shall only be possible if they fulfil all the following criteria:

(a) a good capacity in science, technology and innovation;

(b) commitment to a rules-based open market economy, including fair and equitable dealing with intellectual property rights, respect of human rights, backed by democratic institutions;

(c) active promotion of policies to improve the economic and social well-being of citizens.

PUBLIC

5. The scope of association of each third country to the Programme shall take into account an analysis of the risks, notably those likely to affect the Union's public order and security in relevant policy areas, including economic and research security, as well as benefits and the broader objective of driving economic growth and competitiveness of the Union through **research and** innovation. Accordingly, with the exception of EEA members, acceding countries, candidate countries and potential candidate countries, third countries may be excluded from parts of the Programme in accordance with this Regulation or the association agreement itself.

6. The association agreement setting out the conditions for participation in the Programme, shall, as far as possible, provide for the reciprocal participation of legal entities established in the Union in equivalent programmes of associated countries in accordance with the conditions laid down in those programmes.

7. The conditions determining the level of the financial contributions referred to in paragraph 2, point (b) shall ensure a regular automatic correction of any significant imbalance compared to the amount that entities established in the associated country receive through participation in the Programme, taking into account the costs in the management, execution and operation of the Programme. The allocation of the financial contributions shall take into account the level of participation of the legal entities of the associated countries in each part of the Programme.

PUBLIC

Recital

(21) Acknowledging the benefit derived from international cooperation towards addressing, among others, shared technological, economic, environmental and societal concerns, the Programme, should promote cooperation with third countries. International cooperation should **be based on shared values and principles and** aim to strengthen the Union's competitiveness and excellence in R&I, including its capacity to attract and retain the best talents worldwide. Geo-political considerations including economic **and research** security should be at the centre of the approach and varying degrees of cooperation should be considered based on an overall assessment of the benefit that could be derived by the Union towards addressing its priorities and global challenges while safeguarding the Union's values and interests. Association to all or parts of the Programme should remain the most comprehensive form of cooperation. For EIC defence related activities, only entities established in third countries associated with the European Competitiveness Fund for defence activities should be eligible for funding. The Programme may support activities financed by the Global Europe programme provided they comply with the rules and objectives of this Regulation in line with the provisions on synergies.

Article 10

Implementation and forms of Union funding

1. The Programme shall be implemented in accordance with Regulation (EU, Euratom) 2024/2509, under direct management or under indirect management with bodies referred to in Article 62(1), point (c) of that Regulation.

2. Union funding may be provided in any form in accordance with Regulation (EU, Euratom) 2024/2509, in particular through grants, prizes, procurement, non-financial donations, and financial instruments.

PUBLIC

3. **[**With the exception of financial instruments under the EIC (Fund) where Union support is provided in the form of a budgetary guarantee or a financial instrument, including where combined with non-repayable support in a blending operation, it shall be exclusively provided through the European Competitiveness Fund InvestEU Instrument and implemented in accordance with the applicable rules of the European Competitiveness Fund InvestEU Instrument through the contribution or guarantee agreements concluded for that purpose. Where the Programme makes use of the ECF InvestEU Instrument, it shall provide the provisioning for the budgetary guarantee and the financing to financial instruments, including when combined with non-repayable support in the form of a blending operation.**]**

4. Where Union funding is provided in the form of a grant, funding shall be provided as financing not linked to cost, or as simplified cost options ***in particular through lump sums as well as unit costs for personnel,*** in accordance with Regulation (EU, Euratom) 2024/2509. Funding may be provided in the form of actual eligible cost reimbursement only where the objectives of an action cannot be achieved otherwise. Where it is necessary to enable other sources of funding including co-investments with national resources subject to State aid rules, funding shall be provided in the form of actual eligible cost reimbursement or simplified cost options.

5. For the purposes of Article 153(3) of Regulation (EU, Euratom) 2024/2509, the evaluation committee ~~may~~ **shall** be composed partially or fully of independent external experts.

Recitals

(26) Simplification in the Programme's implementation is essential to ensure its accessibility and efficiency, particularly by reducing the administrative burden on beneficiaries and minimising the risk of errors. ***To this end, the Programme should primarily rely on lump sums as the default form of Union funding***. Advancing efforts over the previous Framework Programmes to streamline funding rules and minimise errors, the reimbursement of personnel costs ***should also be further simplified by using personnel unit costs***, which reduces complexity for participants and facilitates reporting. **Efforts should be made to reduce the reporting requirements for beneficiaries.**

(30) The actions supported under this Regulation should accelerate or boost investments by addressing market failures or sub-optimal investment situations, in a proportionate manner, avoiding duplication or crowding out, and by incentivising private funding, and have Union added-value. Without prejudice to the application of Articles 107 and 108 TFEU to national resources, this should also ensure consistency between the actions under the Programme and the State aid rules, thereby avoiding undue distortions of competition in the internal market.

(32) Regulation (EU, Euratom) 2024/2509[5] applies to the Programme. It lays down the rules on the establishment and the implementation of the general budget of the Union, including the rules on grants, prizes, non-financial donations, procurement, indirect management, financial assistance, financial instruments and budgetary guarantees. **Grants should be the main form of support in the Programme.**

(33) In view of ensuring consistency, a budgetary guarantee and financial instruments, including when combined with non-repayable support in blending operations, under this Programme should be implemented in accordance with Title X of the Financial Regulation and with technical arrangements, terms and conditions established by the Commission for the purposes of its application.

[5] Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: http://data.europa.eu/eli/reg/2024/2509/oj).

(35) In accordance with Regulation (EU, Euratom) 2024/2509, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council[6], Council Regulation (Euratom, EC) No 2988/95[7],(Euratom, EC) No 2185/96[8] and (EU) 2017/1939[9], the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) is competent to investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council[10]. In accordance with Regulation (EU, Euratom) 2024/2509, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the European Court of Auditors and, as appropriate, to the EPPO, and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

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6 Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1.

7 Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

8 Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292,15.11.96 , p.2).

9 Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017,, p.1).

10 Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Article 35

Repeal

Regulation (EU) 695/2021 is repealed with effect from 1 January 2028.

Recital

(38) The Programme replaces the programme Horizon Europe established by Regulation (EU) 2021/695. Regulation (EU) 2021/695 should therefore be repealed.

Article 36

Transitional provisions

1. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulation (EU) 695/2021, which shall continue to apply to the actions concerned until their closure.

2. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor, Regulation (EU) 695/2021.

Article 37

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2028.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament *For the Council*

The President The President

PUBLIC

Other recitals

(8) ~~As in Horizon Europe, t~~**T**he OECD definitions regarding technological readiness levels (TRLs) should ~~continue to~~ be taken into account in the classification of technological research, product development and demonstration activities, and in the definition of types of action available in calls for proposals. Grants should not be awarded for actions where activities go above TRL 8. ~~It should be possible for the work programme to allow grants for large-scale product validation and market replication for a given call under the part 'Competitiveness and Society'.~~

(23) In light of increasing risks linked to natural hazards, health emergencies, technological accidents, evolving security threats, and other disruptions, it is essential to enhance the Union's and Member States' capability to anticipate, prepare for, and respond to crises and disasters. The Programme should support research that strengthen disaster risk and crisis management, invest in climate resilience, and enhance the resilience of vital societal functions, and build a more resilient, secure, and prepared Union, in line with the objectives of the EU Preparedness Union Strategy.

(24) Activities should reflect the importance of tackling the dramatic loss of biodiversity and contribute to the preservation and restoration of nature, ecosystems and their services. The integration of environmental science in activities is necessary to avoid damage to the environment, to maintain clean environment and to restore hea**l**thy ecosystems.

(25) The Programme acknowledges climate change as one of the biggest global and societal challenge and climate action as a driver for industrial competitiveness **and societal resilience**. Activities should reflect the importance of tackling climate change in line with the Union's **policies and** commitments ~~to implement the Paris Agreement~~.

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(36) [The Programme is to be implemented in accordance with Regulation (EU) XXX of the European Parliament and of the Council [Performance Regulation] which establishes the rules for the expenditure tracking and the performance framework for the budget, including rules for ensuring a uniform application of the principles of 'do no significant harm' and gender equality referred to in Article 33(2), points (d) and (f), as well as the provisions on accessibility for persons with disabilities reflected in Articles 17.3, 20.4 and 21.1 of Annex I, of Regulation (EU, Euratom) 2024/2509 respectively and in line with the accessibility requirements of Annex I and III of directive 2019/882, rules for monitoring and reporting on the performance of Union programmes and activities, rules for establishing a Union funding portal, rules for the evaluation of the programmes, as well as other horizontal provisions applicable to all Union programmes such as those on information, communication and visibility.]

(37) Pursuant to Article 85(1) of Council Decision (EU) 2021/1764[11], persons and entities established in overseas countries and territories are eligible for funding subject to the rules and objectives of the Programme and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.

[11] Council Decision (EU) 2021/1764 of 5 October 2021 on the association of the Overseas Countries and Territories with the European Union including relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (Decision on the Overseas Association, including Greenland) (OJ L 355, 7.10.2021, p. 6–134).

PROPOSAL FOR A COUNCIL DECISION ON ESTABLISHING THE SPECIFIC PROGRAMME IMPLEMENTING HORIZON EUROPE - THE FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION FOR THE PERIOD 2028-2034, LAYING DOWN THE RULES FOR PARTICIPATION AND DISSEMINATION UNDER THAT PROGRAMME, AND REPEALING DECISION (EU) 2021/764

PUBLIC

Chapter I

General Provisions

Article 1

Subject matter

1. This Decision establishes the Specific Programme implementing Horizon Europe - the Framework Programme for Research and Innovation for the period of the multiannual financial framework (the 'MFF') 2028-2034 (the 'Specific Programme') as set out in Article 1 (2) point (a) of Regulation XXX [*reference to the Horizon Europe Regulation*].

2. **[**This Decision lays down the budget of the Specific Programme for the period 2028-2034, the rules for implementation of the Specific Programme and the activities to be carried out under the Specific Programme.**]**

3. The definitions, objectives, structure and budget of Horizon Europe - the Framework Programme for Research and Innovation set out in Regulation XXX [*reference to the Horizon Europe Regulation*] also apply to the Specific Programme.

Recital

(1) In accordance with Article 182(3) of the Treaty on the Functioning of the European Union (TFEU), Horizon Europe – the Framework Programme for Research and Innovation for the period 2028-2034 ('Horizon Europe'), established by Regulation XXX [*reference to the Horizon Europe Regulation*] of the European Parliament and of the Council, is to be implemented through Specific Programmes which define the detailed rules for their implementation, fix their duration and provide for the means deemed necessary.

Article 2

Operational objectives

1. The Specific Programme shall contribute to the general and specific objectives set out in Article 3 of Regulation XXX [*reference to the Horizon Europe Regulation*](.

2. The Specific Programme has the following operational objectives:

   (a) foster the production of ~~high-quality~~ **excellent** scientific research and world-leading research institutions **across the Union**;

   (b) support the mobility and training and career development of researchers;

   (c) attract and retain excellent researchers in Europe;

   (d) foster collaboration and multidisciplinarity, including with Social Sciences and Humanities (SSH) to generate new knowledge;

   (e) enhance knowledge valorisation;

   (f) connect and develop research and technology infrastructures across the European Research Area (ERA) to provide transnational access;

   (g) support the creation and scale-up of deep tech and innovative start-ups;

   (h) foster technology uptake and demonstration of disruptive innovation;

   (i) increasing the participation of research organisation from the widening countries and transition countries referred to in Article 19 of Regulation XXX [*reference to the Horizon Europe Regulation*] ;

   (j) foster open science and ensure visibility to the public and open access to results ~~where possible~~**, including appropriate exceptions**.

3. The Specific Programme shall also address collaborative research **and innovation** activities under the policy windows of the European Competitiveness Fund.

PUBLIC

Recital

(2) Regulation XXX[*reference to the Horizon Europe Regulation*] sets out the general and specific objectives of Horizon Europe, the structure and the broad lines of activities to be carried out, while this Specific Programme implementing Horizon Europe (the 'Specific Programme') should define the operational objectives and the activities which are specific to parts of Horizon Europe. The provisions on implementation set out in Regulation XXX apply fully to the Specific Programme.

[*Article 3*

Budget

1. In accordance with Article 6(1) of Regulation XXX [*reference to the Horizon Europe Regulation*], the indicative financial envelope for the implementation of the Specific Programme for the period 2028 to 2034 is set at be EUR 175 002 000 000 in current prices.

2. The amount referred to in paragraph 1 of this Article shall be distributed among the parts as set out with Article 6(2) of Regulation XXX [*reference to the Horizon Europe Regulation*].**]**

Recital

(4) This Council Decision lays down an indicative financial envelope for the Specific Programme.

Article 4

Work programmes

1. The Specific Programme shall be implemented by the work programmes referred to in paragraph 2 of this Article in accordance with Article 110 of Regulation (EU, Euratom) 2024/2509.

   Without prejudice to the first subparagraph, the work programmes ~~may~~ **shall** ~~in particular~~ set out:

   (a) actions and associated budget;

   (b) eligibility and award criteria;

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(c) a single co-financing rate per action;

(d) rules applicable to actions concerning more than one specific objective;

(e) actions to which specific rules apply, in particular on ownership of results, valorisation and dissemination, transfer and licensing as well as access rights to results.

2. The Commission shall adopt separate work programmes, by means of implementing acts, for the implementation of actions under the following components, as set out in Article 1(3):

(a) the European Research Council (ERC), for which the draft work programme shall be established by the ERC Scientific Council under Article 7(9)(a)(ii), in accordance with Article 18(3). The Commission shall depart from the draft work programme established by the ERC Scientific Council only in accordance with Article 7(4), second subparagraph; in that case, the Commission shall adopt the work programme by means of an implementing act in accordance with Article 18(4); the Commission shall duly motivate that;

(b) the European Innovation Council (EIC), for which the work programme shall be prepared following the advice of the EIC Board under Article 12(1)(b), in accordance with Article 18(4);

(c) Marie Sklodowska-Curie Actions (MSCA), ***global societal challenges, EU Missions, New European Bauhaus Facility***, innovation ecosystems, reforming and enhancing the European R&I system, research and technology infrastructures, widening participation and spreading excellence, in accordance with Article 18(4);

(d) the JRC, for which the multi-annual work programme shall take into account the opinion provided by the Board of Governors of the JRC referred to in Commission Decision 96/282/Euratom.

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3. [The research and innovation activities referred to under the policy windows described in Chapters IV to VII of Regulation XXX [*reference to the European Competitiveness Fund Regulation*]shall be included in a specific dedicated part of the work programmes implementing the corresponding specific objectives referred to in Article 3(2), points (a) to (d) of Regulation XXX [*reference to the European Competitiveness Fund Regulation*]. Those work programmes shall be adopted in accordance with Articles 15 and 84 of Regulation XXX [*reference to the European Competitiveness Fund Regulation*].]

Recital

(5) In order to ensure uniform conditions for the implementation of the Specific Programme through work programmes, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[12].

Chapter VI

Transitional and final provisions

Article 18

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. The committee may convene in the following configurations, having regard to the subject matter to be discussed:

   General configuration: overview of the implementation of the Specific Programme;

   ERC;

[12] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13–18.

MSCA;

Global societal challenges, EU Missions, New European Bauhaus Facility;

EIC and innovation ecosystems;

Research and technology infrastructures;

Reforming and enhancing the European R&I system and widening participation and spreading excellence.

3. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

4. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

5. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request.

6. In accordance with international agreements concluded by the Union, representatives of third countries or international organisations may be invited as observers in the meetings of the Specific Programme committee under the conditions laid down in its rules of procedure, taking into account security and public order of the Union or its Member States.

Recital

(6) The advisory and examination procedures set out in Regulation (EU) No 182/2011 of the European Parliament and of the Council should be used for the adoption of the work programmes given the important financial implications of the Specific Programme.

PUBLIC

Article 19

Repeal

Decision (EU) No 764/2021 is repealed with effect from 1 January 2028.

Recital

(7) The Specific Programme replaces the Horizon Europe Specific Programme established by Council Decision (EU) No 2021/764[13]. Council Decision (EU) 2021/764 should therefore be repealed.

Article 20

Transitional provisions

1. This Decision shall not affect the continuation or modification of the actions concerned, until their closure, under Decision (EU) 2021/764/EU, which shall continue to apply to those actions until their closure.

2. The financial envelope for the Specific Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Specific Programme and the measures adopted under its Decision (EU) 2021/764.

Article 21

Entry into force and application

This Decision shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2028.

Done at Brussels,

For the Council

The President

[13] 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 167I, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/dec/2021/764/oj)

Other recital

(8) The Specific Programme should be implemented in compliance with the principle of the rule of law and the rights and principles set out in the Charter of Fundamental Rights of the European Union and be in line with the international obligations of the Union and the Member States arising from the international instruments to which they are party, including Human rights instruments such as the UN Convention on the Rights of Persons with disabilities.

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