



Council of the  
European Union

Brussels, 20 March 2023  
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#### COVER NOTE

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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 17 March 2023

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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No. Cion doc.: COM(2023) 153 final

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Subject: ANNEX to the Recommendation for a COUNCIL DECISION authorising the opening of negotiations on behalf of the European Union for the conclusion of an Agreement between the European Union, of the one part, and Japan, of the other part, on the participation of Japan in Union programmes and of a protocol on the association of Japan to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027)

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**DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (21.04.2023)**

Delegations will find attached document COM(2023) 153 final.

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Encl.: COM(2023) 153 final

Brussels, 17.3.2023  
COM(2023) 153 final

ANNEX

**SENSITIVE\***

ANNEX

to the

**Recommendation for a  
COUNCIL DECISION**

**authorising the opening of negotiations on behalf of the European Union for the conclusion of an Agreement between the European Union, of the one part, and Japan, of the other part, on the participation of Japan in Union programmes and of a protocol on the association of Japan to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027)**

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## ANNEX

DIRECTIVES FOR THE NEGOTIATION OF AN AGREEMENT BETWEEN the European Union, of the one part, and Japan, of the other part, on the participation of Japan in Union programmes and of a protocol on the association of Japan to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027).

1. The agreement should provide for the terms and conditions of the participation of Japan to any Union programme. It shall:
  - (a) ensure a fair balance as regards the contributions, including the financial contribution, and benefits of the third country participating in the Union programmes;
  - (b) lay down the conditions of participation in the programmes, including the calculation of the financial contributions to individual programmes and their administrative costs. These contributions shall constitute internal assigned revenues in accordance with Article 21 (5) of the Financial Regulation<sup>1</sup>;
  - (c) not confer to the third country any decision-making power in respect of the Union programmes;
  - (d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests.
  
2. **DELETED**

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<sup>1</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, (OJ L 193, 30.7.2018, p. 1).

**DELETED**

**PUBLIC**

11. The agreement should be in coherence with related EU policies and objectives.