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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	9865/18 + ADD 1
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe - the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination - Preparation for the trilogue

I. INTRODUCTION

1. On 7 June 2018, the Commission presented, based on Articles 173, 182, 183 and 188 TFEU, its proposal for a Regulation of the European Parliament and the Council establishing Horizon Europe - The Framework Programme for Research and Innovation, laying down its rules for participation and dissemination (2021-2027).

2. That proposal merges two current legal acts (the Framework Programme and the Rules for Participation and Dissemination) into one single legal act.
3. The Council adopted a Partial General Approach at its meeting (Competitiveness) on 30 November 2018.¹
4. Since Horizon Europe is linked to the Multiannual Financial Framework (MFF), all provisions with budgetary implications are square bracketed. Synergies linked to financing from various funds are also in brackets. The same goes for objectives and broad lines of activities of the European Defence Fund², provisions concerning third countries associated to Horizon Europe³ and the protection of the Union's financial interest, which are of a horizontal nature and depend on progress in other files.
5. Furthermore, the provisions concerning the European Institute of Innovation and Technology (EIT) in Annex 1a are in brackets subject to further negotiations at technical level.
6. The European Parliament has appointed MEP Dan NICA (S&D) as rapporteur on the Framework Programme⁴. The European Parliament voted on its report in the plenary on 12 December 2018. The European Economic and Social Committee adopted its opinion on 17 October 2018⁵, whilst the Committee of the Regions provided its opinion at its 8-10 October Plenary session⁶.

II. WORK WITHIN THE COUNCIL AND WITH THE EUROPEAN PARLIAMENT

7. The first political trilogue was held on 9 January 2019. The Presidency participated in this meeting with the Partial General Approach as its mandate. COREPER was debriefed on the results of the first trilogue on 11 January 2019.

¹ 15102/18 + ADD 1

² Article 5.

³ Articles 12, 18 and 19.

⁴ For the specific programme the appointed rapporteur is MEP Christian EHLER (European People's Party) and the ITRE Committee voted on the report on 21 November 2018.

⁵ 13758/18 (opinion covers both the Framework Programme and the Specific Programme).

⁶ 13759/18 (opinion covers both the Framework Programme and the Specific Programme).

8. Following discussions at the Research Working Party as well as the technical meetings between Presidency, Commission and European Parliament on 11 and 18 January 2019, progress has been achieved on the file, and the agenda for the second trilogue taking place on 29 January 2019 has been agreed.
9. In view of seeking a mandate from the COREPER for the second trilogue, the Presidency has prepared the compromise text as contained in the 4th column of the comparative table annexed to this note.

III. MAIN ISSUES

10. Article 2 now contains all definitions previously found in Annex II of the PGA. The latter should be deleted as a consequence.
11. The deliberations with the Parliament and within the Council have permitted the Presidency to have a clearer picture of the most important elements of the EP's position. These elements are highlighted in red in the Annex, and for the mandate the Presidency proposes the following lines to take:
 - The widening package has been preserved as agreed in the partial general approach of the 30 November 2018 Competitiveness Council;
 - The proposed capping of the annual budget for missions within Pillar II "*Global Challenges and European Industrial Competitiveness*" has not been taken up;
 - The Presidency proposes to add the new article 6a on horizontal and cross cutting issues, while maintaining the special emphasis on Social Sciences and Humanities (SSH) in Pillar II.
 - Changes to the names of the clusters within Pillar II are not envisaged;
 - The form of referring to the R&I activities covered by the Defence Fund are maintained as in the PGA.

IV. CONCLUSION

The Permanent Representatives Committee is invited to

- examine the elements as set out in Part III above; and
 - mandate the Presidency to continue the negotiations with the Parliament at the second trilogue on 29 January 2019 on the basis of the four column table.
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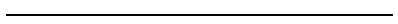
Explanation of changes in the Annex:

In the column related to the position of the European Parliament, the changes to the Commission proposal are indicated in ***bold italics*** for additions. Deletions are not indicated.

In the column related to the position of the Council (partial general approach PGA, doc.15102/18), the changes to the Commission proposal are indicated in **bold** for additions and in ~~strikeout~~ for deletions.

When the original text was already in bold (titles), the changes in relation to the Commission proposal are indicated in underlined for additions.

In the 4th column, the changes to the PGA are indicated in ***bold italics*** for additions and in ~~*italics*~~ ~~strikeout~~ for deletions. Added or deleted text compared to the compromise submitted to the Research Working Party on 21 January 2019 (doc. WK 687/19) have been highlighted in grey for ease of reference.



Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe - the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination

2018/0224 (COD)

Row	COMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
1	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	<i>Unchanged</i>	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
77	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
78	TITLE I GENERAL PROVISIONS	<i>Unchanged</i>	<i>Unchanged</i>	
79	Article 1 Subject matter	<i>Unchanged</i>	<i>Unchanged</i>	
80	1. This Regulation establishes Horizon Europe - the Framework Programme for Research and Innovation ('the Programme') and the rules for participation and dissemination in indirect actions under the Programme.	1. This Regulation establishes Horizon Europe - the Framework Programme for Research and Innovation ('the Programme') and the rules for participation and dissemination in indirect actions under the Programme <i>and determines the framework governing Union support to research and innovation activities.</i>	<i>Unchanged</i>	1. This Regulation establishes Horizon Europe - the Framework Programme for Research and Innovation ('the Programme') and the rules for participation and dissemination in indirect actions under the Programme <i>and determines the framework governing Union support to research and innovation activities.</i>

Row	COMMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
81	2. It lays down the objectives of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.	<i>Unchanged</i>	<i>Unchanged</i>	
82	3. The Programme shall be implemented through:	<i>Unchanged</i>	<i>Unchanged</i>	
83	(a) the specific programme established by Decision .../.../EU ²⁵ , which includes a financial contribution to the EIT; _____ 25	(a) the specific programme established by Decision .../.../EU ¹⁷ , which includes the <i>rationale and intervention areas of the EIT</i> ;	(a) the specific programme established by Decision .../.../EU ⁴ ; which includes a financial contribution to the EIT ; _____ 4.	PGA
84			(aa) a financial contribution to the EIT established by Regulation (EC) No 294/2008;	PGA
85	(b) the specific programme on defence research established by Regulation .../.../EU.	(b) the specific programme on defence research established by Regulation .../.../EU.	(b) the specific programme on defence research established by Regulation .../.../EU Regulation of the European Parliament and of the Council establishing the European Defence Fund.	(b) the specific programme on defence research established by Regulation .../.../EU Regulation of the European Parliament and of the Council establishing the European Defence Fund.
86	4. The terms 'Horizon Europe', 'the Programme' and 'specific programme' used in this Regulation address matters	4. The terms 'Horizon Europe', 'the Programme' and 'specific programme' used in this Regulation <i>do not</i> address	<i>Unchanged</i>	4. The terms 'Horizon Europe', 'the Programme' and 'specific programme' used in this Regulation <i>do not</i> address

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	relevant only to the specific programme described in paragraph 3(a), unless otherwise explicitly stated.	matters relevant to the specific programme described in paragraph 3(b) unless otherwise explicitly stated.		matters relevant to the specific programme described in paragraph 3(b) unless otherwise explicitly stated.
88	Article 2 Definitions	<i>Unchanged</i>	<i>Unchanged</i>	
89	For the purposes of this Regulation, the following definitions apply:	<i>Unchanged</i>	<i>Unchanged</i>	
90	(1) 'research infrastructures' mean facilities that provide resources and services for the research communities to conduct research and foster innovation in their fields. This definition includes the associated human resources, and it covers 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 research and innovation. Where relevant,	(1) 'research infrastructures' mean facilities that provide resources and services for the research communities to conduct research and foster innovation in their fields. This definition includes the associated human resources, and it covers major equipment or sets of instruments <i>in particular those supported by other Union funds as referred to in Annex IV</i> ; 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	<i>Unchanged</i>	PGA

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	they may be used beyond research, for example for education or public services and they may be 'single sited', 'virtual' or 'distributed';	achieve excellence in research and innovation. Where relevant, they may be used beyond research, for example for education or public services and they may be 'single sited', 'virtual' or 'distributed';		
91	<p>(2) 'smart specialisation strategy' has the same meaning as smart specialisation strategy as defined in Regulation (EU) No 1303/2013 of the European Parliament and of the Council²⁶ and fulfilling the enabling conditions set out in Regulation (EU) XX [Common Provisions Regulation];</p> <p>²⁶ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European</p>	<i>Unchanged</i>	<i>Unchanged</i>	

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	Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006.			
92	(3) 'European Partnership' means an initiative where the Union, together with private and/or public partners (such as industry, research organisations, bodies with a public service mission at local, regional, national or international level or civil society organisations including foundations), commit to jointly support the development and implementation of a programme of research and innovation activities, including those related to market, regulatory or policy uptake;	(3) 'European Partnership' means an initiative where the Union, together with private and/or public partners (such as industry, <i>universities</i> , research organisations <i>including research infrastructures</i> , bodies with a public service mission at local, regional, national or international level or civil society organisations including <i>non-governmental organisations and</i> foundations), <i>where appropriate</i> commit to jointly support the development and implementation of a programme of research and innovation activities, including those <i>pursuant to Article 185 and 187 TFUE, and those</i> related to market, regulatory or policy uptake;	(3) 'European Partnership' means an initiative where the Union, prepared with early involvement of Member States and/or Associated Countries , together with private and/or public partners (such as industry, research organisations, bodies with a public service mission at local, regional, national or international level or civil society organisations including foundations), commit to jointly support the development and implementation of a programme of research and innovation activities, including those related to market, regulatory or policy uptake;	(3) 'European Partnership' means an initiative where the Union, prepared with early involvement of Member States and/or Associated Countries, together with private and/or public partners (such as industry, <i>universities</i> , research organisations, bodies with a public service mission at local, regional, national or international level or civil society organisations including foundations), commit to jointly support the development and implementation of a programme of research and innovation activities, including those related to market, regulatory or policy uptake;
93	(4) 'open access' means the practice of providing online access to research outputs resulting from actions funded under the Programme, in	(4) 'open access' means the practice of providing online access to research outputs resulting from actions funded under the Programme, in	(4) 'open access' means the practice of providing online access to research outputs resulting from actions funded under the Programme, in	PGA

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	particular scientific publications and research data, free of charge to the end-user;	particular scientific publications and research data, free of charge to the end-user. <i>With regard to research data, relevant privacy and security interests, as well as intellectual property rights, confidentiality, European Union global economic competitiveness and other legitimate interests need to be addressed in accordance with the principle ‘as open as possible, as closed as necessary’ and according to ‘robust opt-outs’;</i>	particular scientific publications and research data, free of charge to the end-user, in accordance with Article 10 and 35(3) of this Regulation;	
94			(4a) 'open science' means a new approach to the scientific process based on cooperative work and new ways of diffusing knowledge by using digital technologies and new collaborative tools;	PGA
95	(5) 'mission' means a portfolio of actions intended to achieve a measurable goal within a set timeframe, and impact for science and technology and/or society and citizens that could not be achieved through	(5) 'mission' means a portfolio of <i>excellence-driven R&I</i> actions <i>which could be cross-cluster or cross-cutting</i> intended to achieve a measurable goal within a set timeframe, and <i>have an</i> impact	(5) 'mission' means a portfolio of actions across disciplines and sectors , intended to: achieve a measurable goal within a set timeframe, and impact for science and technology and/or society and	(5) 'mission' means a portfolio of <i>excellence-based and impact-driven R&I</i> actions across disciplines and sectors, intended to:

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	individual actions;	for science and technology, <i>for</i> society, <i>policy-making and/or diplomacy</i> and citizens <i>and which</i> could not be achieved through individual actions;	citizens that could not be achieved through individual actions;	
96			– achieve, within a set timeframe, a measurable goal that could not be achieved through individual actions,	PGA
97			– have impact on society through science and technology, and	PGA
98			– be relevant for a wide range of European citizens;	PGA
99	(6) 'pre-commercial procurement' means the 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;	<i>Unchanged</i>	<i>Unchanged</i>	
100	(7) 'public procurement of innovative solutions' means	<i>Unchanged</i>	<i>Unchanged</i>	

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	procurement where contracting authorities 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.			
101	(8) “access rights” means rights to use results or background;	(8) “access rights” means rights to use results or background <i>under terms and conditions laid down in accordance with this Regulation;</i>	<i>Unchanged</i>	PGA
102	(9) “background” means any data, know-how or information whatever its form or nature, tangible or intangible, including any rights such as intellectual property rights, that is: (i) held by beneficiaries prior to their accession to the action; (ii) identified by the beneficiaries in writing in any manner as needed for implementing the action or for exploiting its results	(9) “background” means any data, know-how or information whatever its form or nature, tangible or intangible, including any rights such as intellectual property rights, that is: (i) held by beneficiaries prior to their accession to the action; <i>and</i> (ii) identified by the beneficiaries in <i>a written agreement</i> as needed for implementing the action or for exploiting its results;	(9) 'background' means any data, know-how or information whatever its form or nature, tangible or intangible, including any rights such as intellectual property rights, that is (±) held by beneficiaries prior to their accession to the action (±) and identified by the beneficiaries in writing in any manner as needed for implementing the action or for exploiting its results;	PGA
103	(10) “dissemination” means the public disclosure of the results by appropriate means (other than resulting from protecting or	<i>Unchanged</i>	<i>Unchanged</i>	

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	exploiting the results), including by scientific publications in any medium;			
104	(11)“exploitation” means the use of results in further research and innovation activities other than those covered by the action concerned, or in developing, creating, manufacturing and marketing a product or process, or in creating and providing a service, or in standardisation activities;	(11) “exploitation” means the use of results in further research and innovation activities other than those covered by the action concerned, or <i>inter alia</i> , commercial exploitation such as developing, creating, manufacturing and marketing a product or process, or in creating and providing a service, or in standardisation activities;	<i>Unchanged</i>	PGA
105	(12) “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;	<i>Unchanged</i>	<i>Unchanged</i>	
106	(13) “funding body” means a body or organisation, other than	<i>Unchanged</i>	<i>Unchanged</i>	

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	the Commission, as referred to in point (c) of Article 62(1) of the Financial Regulation, to which the Commission has entrusted budget implementation tasks under the Programme;			
107	(14) “international European research organisation” means an international organisation, the majority of whose members are Member States or associated countries, and whose principal objective is to promote scientific and technological cooperation in Europe;	<i>Unchanged</i>	<i>Unchanged</i>	
108	(15) 'legal entity' means any natural or legal person created and recognised as such under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations, or an entity without a legal personality in accordance with Article 197(2)(c) of the Financial Regulation;	<i>Unchanged</i>	<i>Unchanged</i>	

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109		<i>(15 a) "widening countries" means those countries identified through the composite indicator of Research Excellence (R&D intensity, excellence in S&T, Knowledge-intensity of economy, High Tech& Medium Tech product contribution to trade balance) and with a corrective threshold of 70% of the Union average^{26a}.</i>		Not acceptable
110	(16) "non-profit legal entity" means a legal entity which by its legal form is non-profit-making or which has a legal or statutory obligation not to distribute profits to its shareholders or individual members;	<i>Unchanged</i>	<i>Unchanged</i>	
111			(16a) 'SME' means micro-, small- and medium-sized enterprise as defined in Commission Recommendation 2003/361/EC⁶; 6.	PGA
112	(17) "mid-cap" means a company that is not a micro-,	<i>Unchanged</i>	(17) ' small mid-cap' means a company that is not a micro-,	PGA

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	small- and medium-sized enterprise ('SME') as defined in Commission Recommendation 2003/361/EC ²⁷ , and that has a number of employees of up to 3000 where the staff headcount is calculated in accordance with Articles 3, 4, 5 and 6 of Title I of the Annex of that Recommendation; _____ ^{27.}		small- and medium-sized enterprise ('SME') as defined in Commission Recommendation 2003/361/EC, and that has a number of employees of up to 3000 where the staff headcount is calculated in accordance with Articles 3, 4, 5 and 6 of Title I of the Annex of that Recommendation; an entity employing up to 499 employees that are not SMEs;	
113			(17a) 'start-up' means a temporary organisation in the early stage in the life cycle of an enterprise, creator of innovation designed to search for a repeatable and scaleable business model;	PGA
114	(18) "results" means any tangible or intangible effect of the action, such as data, know-how or information, whatever its form or nature, whether or not it can be protected, as well as any rights attached to it, including intellectual property rights;	(18) "results" means any tangible or intangible <i>output</i> of the action, such as data, know-how or information, whatever its form or nature, whether or not it can be protected, as well as any rights attached to it, including intellectual property rights;	<i>Unchanged</i>	PGA

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115			(18a) 'research outputs' mean results to which online access can be given in the form of scientific publications, data or other engineered outcomes and processes such as software, algorithms, protocols and electronic notebooks;	PGA
116	(19) “seal of excellence” means a certified label which shows that a proposal submitted to a call for proposals exceeded all of the thresholds set out in the work programme, but could not be funded due to lack of budget available to that call in the work programme;	(19) “seal of excellence” means a certified label which shows that a proposal submitted to a call for proposals exceeded all of the thresholds set out in the work programme, but could not be funded due to lack of budget available to that call in the work programme, but which might receive support from other Union or national sources of funding;	19) “seal of excellence” means a certified label which shows that a proposal submitted to a call for proposals exceeded all of the evaluation thresholds set out in the work programme, but could not be funded due to lack of budget available to that call in the work programme;	PGA
118	(20) “work programme” means the document adopted by the Commission for the implementation of the specific programme ²⁸ in accordance with its Article 12 or the equivalent document in content and structure adopted by a funding	<i>Unchanged</i>	<i>Unchanged</i>	

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	body. <u>28. OJ...</u>			
121	(23) “classified information” means EU classified information as defined in Article 3 of Commission Decision (EU, Euratom) 2015/444 as well as classified information of Member States, classified information of third countries with which the Union has a security agreement and classified information of international organisation with which the Union has a security agreement;	<i>Unchanged</i>	(23) “classified information” means EU classified information as defined in Article 3 of Commission Decision (EU, Euratom) 2015/444 as well as classified information of Member States, classified information of third countries with which the Union has a security agreement and classified information of international organisation with which the Union has a security agreement;	PGA
122	(24) 'Blending operation' means actions supported by the EU budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/or financial instruments from the EU budget with repayable forms of support from development or other public finance institutions, as well as	<i>Unchanged</i>	<i>Unchanged</i>	

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	from commercial finance institutions and investors.			
124		<i>(25 a) ‘research and innovation action’ means an action primarily consisting of activities aiming to establish new knowledge and/or to explore the feasibility of a new or improved technology, product, process, service or solution. This may include basic and applied research, technology development and integration, testing and validation on a small-scale prototype in a laboratory or simulated environment;</i>		<i>(25 a) ‘research and innovation action’ means an action primarily consisting of activities aiming to establish new knowledge and/or to explore the feasibility of a new or improved technology, product, process, service or solution. This may include basic and applied research, technology development and integration, testing, demonstration and validation on a small-scale prototype in a laboratory or simulated environment;</i>
125		<i>(25 b) ‘innovation action’ means an action primarily consisting of activities directly aimed at producing plans and arrangements or designs for new, altered or improved products, processes or services, possibly including prototyping, testing, demonstrating, piloting, large-scale product validation and market replication;</i>		<i>(25 b) ‘innovation action’ means an action primarily consisting of activities directly aimed at producing plans and arrangements or designs for new, altered or improved products, processes or services, possibly including prototyping, testing, demonstrating, piloting, large-scale product validation and market replication;</i>

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126		<i>(25 c) ‘ERC frontier research’ means principal investigator-led research actions, hosted by ERC only single or multiple beneficiaries;</i>		<i>(25 c) ‘ERC frontier research (including ERC Proof of Concept)’ means principal investigator-led research actions, hosted by ERC only single or multiple beneficiaries;</i>
127		<i>(25 d) ‘training and mobility action’ means an action geared towards the improvement of skills, knowledge and career prospects of researchers based on mobility between countries, and, if relevant, between sectors or disciplines;</i>		<i>(25 d) ‘training and mobility action’ means an action geared towards the improvement of skills, knowledge and career prospects of researchers based on mobility between countries, and, if relevant, between sectors or disciplines;</i>
128		<i>(25 e) ‘programme co-funding action’ means an action to provide co-funding to a programme of activities established and/or implemented by entities managing and/or funding research and innovation programmes, other than Union funding bodies;</i>		<i>(25 e) ‘programme co-funding action’ means an action to provide multi-annual co-funding to a programme of activities established and/or implemented by entities managing and/or funding research and innovation programmes, other than Union funding bodies. Such a programme of activities may support networking and coordination, research,</i>

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				<i>innovation, pilot actions, and innovation and market deployment actions, training and mobility actions, awareness raising and communication, dissemination and exploitation, any relevant financial support, such as grants, prizes, procurement, as well as Horizon Europe blended finance or a combination thereof. The programme co-fund action may be implemented by those entities directly or by third parties on their behalf;</i>
129		<i>(25 f) ‘pre-commercial procurement action’ means an action with the primary aim of conducting pre-commercial procurement procedures implemented by beneficiaries that are contracting authorities or contracting entities;</i>		<i>(25 f) ‘pre-commercial procurement action’ means an action with the primary aim of conducting realising pre-commercial procurement implemented by beneficiaries that are contracting authorities or contracting entities;</i>
130		<i>(25 g) ‘public procurement of innovative solutions action’ means an action with the primary aim of conducting joint or coordinated</i>		<i>(25 g) ‘public procurement of innovative solutions action’ means an action with the primary aim of conducting realising joint or</i>

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		<i>public procurement procedures concerning innovative solutions implemented by beneficiaries that are contracting authorities or contracting entities;</i>		<i>coordinated public procurement procedures concerning of innovative solutions implemented by beneficiaries that are contracting authorities or contracting entities;</i>
131		<i>(25 h) 'coordination and support action' means an action contributing to the objectives of the Programme, excluding research and innovation activities;</i>		<i>(25 h) 'coordination and support action' means an action contributing to the objectives of the Programme, excluding research and innovation activities (except when undertaken under the component "widening participation and sharing excellence" of the part "Widening Participation and strengthening the European Research Area"), such as standardisation, dissemination, awareness-raising and communication, networking, coordination or support services, policy dialogues and mutual learning exercises and studies; bottom-up coordination without co-funding of research activities</i>

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				<i>from the EU that allows for cooperation between legal entities from Member States and Associated Countries in order to strengthen the European Research Area;</i>
131a				<i>(25 i) "Inducement prize" means a prize to spur investment in a given direction, by specifying a target prior to the performance of the work</i>
131b				<i>(25j) "Recognition prize" in prize to reward past achievements and outstanding work after it has been performed</i>
131c				<i>(25 k) "Innovation and market deployment action" means and action embedding an innovation action and other activities necessary to deploy an innovation in the market, including the scaling-up of companies, providing Horizon Europe blended finance (a mix of grant-type funding and private finance);</i>
131d				<i>(25l) "Indirect actions" means research and innovation</i>

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				<i>activities to which the Union provides financial support and which are undertaken by participants;</i>
131e				<i>(25m) "Direct actions" means research and innovation activities undertaken by the Commission through its Joint Research Centre (JRC).</i>
132		<i>(25 i) 'public procurement' means the implementation of parts of the Programme related to strategic interests and autonomy of the Union and the carrying out, for the Commission's own purposes, of public procurement procedures for studies, products, services and capabilities;</i>	(27) 'procurement' means procurement as defined in Article 2(49) of Regulation (EU, Euratom) 2018/1046 [Financial Regulation];	<i>(27) 'procurement' means procurement as defined in Article 2(49) of Regulation (EU, Euratom) 2018/1046 [Financial Regulation]. This action may be used to implement parts of the Programme related to strategic interests and autonomy of the Union and the carrying out, for the Commission's own purposes, of public procurement procedures for studies, products, services and capabilities;</i>
133		<i>(25 j) 'affiliated entity' means any legal entity that is under the direct or indirect control of a participant, or under the same direct or indirect control as the participant, or that is</i>	(28) 'affiliated entity' means any legal entity as defined in Article 187(1) of Regulation (EU, Euratom) 2018/1046 [Financial Regulation];	PGA

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		<i>directly or indirectly controlling a participant;</i>		
134			(30) 'innovation ecosystem' means an ecosystem that brings together at EU level actors or entities whose functional goal is to enable technology development and innovation. They encompass relations between material resources (such as funds, equipment, and facilities), institutional entities (such as higher education institutions and support services, RTOs, companies, venture capitalists and financial intermediaries) and national, regional and local policy-making and funding entities;	PGA
135			(31) 'low R&I performing Member State' means a Member State that under Part 4, "Widening participation and sharing excellence", is eligible to submit a proposal as coordinator.	PGA
136	Article 3 Programme objectives	<i>Unchanged</i>	<i>Unchanged</i>	

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137	1. The Programme's general objective is to deliver scientific, economic and societal impact from the Union's investments in research and innovation so as to strengthen the scientific and technological bases of the Union and foster its competitiveness, including in its industry, deliver on the Union strategic priorities, and contribute to tackling global challenges, including the Sustainable Development Goals.	1. The Programme's general objective is to deliver scientific, technological , economic and societal impact from the Union's investments in research and innovation so as to strengthen the scientific and technological bases of the Union as a whole, to strengthen the European Research Area and foster its competitiveness. Research and industry shall deliver on the Union strategic priorities and policies , contribute to adressing global challenges, including the Sustainable Development Goals and the Paris Agreement as well as contribute to achieving an overall investment of 3% of the GDP invested in research and development, in line with the commitment made by the Union Heads of State and Governments.	1. The Programme's general objective is to deliver scientific, technological , economic and societal impact from the Union's investments in research and innovation so as to strengthen the scientific and technological bases of the Union and foster its competitiveness in all Member States including in its industry, deliver on the Union strategic priorities, contribute to tackling global challenges, including the Sustainable Development Goals by following the principles of the Agenda 2030 and the Paris Agreement, and to strengthen the European Research Area. The Programme shall thus maximise Union added value by focusing on objectives and activities that cannot be effectively realised by Member States acting alone, but in cooperation.	1. The Programme's general objective is to deliver scientific, technological, economic and societal impact from the Union's investments in research and innovation so as to strengthen the scientific and technological bases of the Union and foster its competitiveness in all Member States including in its industry, deliver on the Union strategic priorities and contribute to the realisation of EU objectives and policies , contribute to tackling global challenges, including the Sustainable Development Goals by following the principles of the Agenda 2030 and the Paris Agreement, and to strengthen the European Research Area. The Programme shall thus maximise Union added value by focusing on objectives and activities that cannot be effectively realised by Member States acting alone, but in

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				cooperation.
138	2. The Programme has the following specific objectives:	<i>Unchanged</i>	<i>Unchanged</i>	
139		<i>(-a) new to develop, promote and spread scientific and technological excellence;</i>		
140	(a) to support the creation and diffusion of high-quality new knowledge, skills, technologies and solutions to global challenges;	(a) to support the creation and diffusion of high-quality knowledge, skills, technologies and solutions, <i>based on both fundamental and applied research, in order to tackle global challenges, including climate change and Sustainable Development goals;</i>	(a) to promote scientific excellence , support the creation and diffusion of high-quality new fundamental and applied knowledge, skills, technologies and solutions to global challenges training and mobility of researchers, attract talent at all levels and contribute to full engagement of Union's talent pool in actions supported under this Programme;	(a) to <i>develop</i> , promote <i>and spread</i> scientific excellence, support the creation and diffusion of high-quality new fundamental and applied knowledge, skills, <i>technologies and solutions</i> , training and mobility of researchers, attract talent at all levels and contribute to full engagement of Union's talent pool in actions supported under this Programme;
141		<i>(a a) to aim at significantly reducing the R&I divide within the Union, in particular by increasing participation in Horizon Europe of low R&I performing Member States as compared to the previous FP;</i>		Not acceptable
142	(b) to strengthen the impact of research and innovation in developing, supporting and	(b) to strengthen <i>the Union added value of RDI funding</i> , the impact of research and	(b) to generate knowledge , strengthen the impact of research and innovation in	(b) to generate knowledge, strengthen the impact of research and innovation in

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	implementing Union policies, and support the uptake of innovative solutions in industry and society to address global challenges;	innovation in developing, supporting and implementing Union policies, and support the <i>access to and</i> uptake of innovative solutions in society <i>and European industry</i> ;	developing, supporting and implementing Union policies, and support the uptake of innovative solutions in industry, notably in SMEs , and society to address global challenges, inter alia the Sustainable Development Goals ;	developing, supporting and implementing Union policies and support the <i>access to and</i> uptake of innovative solutions in European industry, notably in SMEs, and society to address global challenges, including climate <i>change</i> and the Sustainable Development Goals;
143	(c) to foster all forms of innovation, including breakthrough innovation, and strengthen market deployment of innovative solutions;	(c) to foster all forms of innovation and strengthen market deployment <i>and exploitation of RDI results especially within the Union</i> ;	(c) to foster all forms of innovation, including breakthrough innovation , facilitate technological development, demonstration and knowledge transfer , and strengthen market deployment of innovative solutions;	(c) to foster all forms of innovation, facilitate technological development, demonstration and knowledge transfer, and strengthen deployment <i>and exploitation</i> of innovative solutions <i>especially within the Union and Associated Countries</i> ;
144	(d) to optimise the Programme's delivery for increased impact within a strengthened European Research Area.	(d) to optimise the Programme's delivery for <i>strengthening and increasing the impact and RDI attractiveness of the</i> European Research Area.	(d) to optimise the Programme's delivery for increased impact within a strengthened strengthening the European Research Area, and to foster the excellence-based participations from all Member States in Horizon Europe and to facilitate collaborative links in	PGA

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			European research and innovation.	
145	Article 4 Programme structure	<i>Unchanged</i>	<i>Unchanged</i>	
146	1. The Programme is structured in the following parts contributing to the general and specific objectives set out in Article 3:	<i>Unchanged</i>	<i>Unchanged</i>	
147	(1) Pillar I 'Open Science', pursuing the specific objective set out in Article 3(2)(a) and also supporting specific objectives set out in Article 3(2)(b) and (c), with the following components:	(1) Pillar I ' Excellent and Open Science' with the following components:	(1) Pillar I ' Open Science ', pursuing the specific objective set out in Article 3(2)(a) and also supporting specific objectives set out in Article 3(2)(b) and (c) , Excellent Science ' with the following components:	PGA
148	(a) the European Research Council (ERC);	<i>Unchanged</i>	<i>Unchanged</i>	
149	(b) Marie Skłodowska-Curie Actions (MSCA);	<i>Unchanged</i>	<i>Unchanged</i>	
150	(c) research infrastructures.	<i>Unchanged</i>	<i>Unchanged</i>	
151	(2) Pillar II 'Global Challenges and Industrial Competitiveness', pursuing the specific objective set out in Article 3(2)(b) and also supporting the specific	(2) Pillar II 'Global Challenges and European Industrial Competitiveness' with the following components:	(2) Pillar II 'Global Challenges and European Industrial Competitiveness', pursuing the specific objective set out in Article 3(2)(b) and also supporting the specific	PGA

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	objectives set out in Article 3(2)(a) and (c), with the following components:		objectives set out in Article 3(2)(a) and (c), with the following components, taking into account that social sciences and humanities (SSH) shall play an important role across all clusters:	
152	(a) cluster 'Health';	<i>Unchanged</i>	<i>Unchanged</i>	
153	(b) cluster 'Inclusive and Secure Society';	(b) cluster 'Inclusive and Creative Society';	(b) cluster ' Culture and Inclusive and Secure Society';	(b) cluster 'Culture, Creative and Inclusive Society';
154		(b a) cluster 'Secure Societies';	(c) cluster 'Civil Security for Society';	PGA
155	(c) cluster 'Digital and Industry';	(c) cluster 'Digital, Industry and Space ';	(d) cluster 'Digital and, Industry and Space';	PGA
156	(d) cluster 'Climate, Energy and Mobility';	<i>Unchanged</i>	(e) cluster 'Climate, and Energy' and Mobility;	PGA
157			(ee) cluster 'Mobility';	PGA
158	(e) cluster 'Food and Natural Resources';	(e) cluster 'Food, Natural Resources and Agriculture ';	(f) cluster 'Bioeconomy, Food, and Natural Resources and Environment';	PGA
159	(f) non-nuclear direct actions of the Joint Research Centre (JRC).	<i>Unchanged</i>	(g) non-nuclear direct actions of the Joint Research Centre (JRC).	
160	(3) Pillar III 'Open Innovation', pursuing the specific objective set out in Article 3(2)(c) and also supporting the specific objectives set out in Article	(3) Pillar III ' Innovative Europe ' with the following components:	(3) Pillar III ' Open Innovation ', pursuing the specific objective set out in Article 3(2)(c) and also supporting the specific objectives set out in Article 3(2)(a) and (b); ' Innovative	

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	3(2)(a) and (b), with the following components:		Europe ’ with the following components:	
161	(a) the European Innovation Council (EIC);	<i>Unchanged</i>	<i>Unchanged</i>	
162	(b) European innovation ecosystems;	<i>Unchanged</i>	<i>Unchanged</i>	
163	(c) the European Institute of Innovation and Technology (EIT).	<i>Unchanged</i>	(c) the European Institute of Innovation and Technology (EIT) established by Regulation (EC) No 294/2008.	PGA
164	(4) Part 'Strengthening the European Research Area', pursuing the specific objective set out in Article 3(2)(d) and also supporting the specific objectives set out in Article 3(2)(a), (b) and (c), with the following components:	(4) Part 'Strengthening the European Research Area' with the following components:	(4) Part ' Widening participation and strengthening the European Research Area', pursuing the specific objective set out in Article 3(2)(d) and also supporting the specific objectives set out in Article 3(2)(a), (b) and (c) with the following components:	PGA
165	(a) sharing excellence;	(a) <i>Spreading excellence and widening participation across the Union;</i>	(a) widening participation and sharing excellence;	PGA
166	(b) reforming and enhancing the European R&I System.	<i>Unchanged</i>	<i>Unchanged</i>	
167	2. The broad lines of activities are set out in Annex I.	<i>Unchanged</i>	<i>Unchanged</i>	
168	Article 5	<i>Unchanged</i>	Article 5	

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	Defence research		<u>Activities with defence research applications</u>	
169	1. Activities to be carried out under the specific programme referred to in Article 1(3)(b) and which are laid down in Regulation establishing the European Defence Fund, shall be research, with an exclusive focus on defence applications, with the objective to foster the competitiveness, efficiency and innovation of defence industry.	1. Activities to be carried out under the specific programme referred to in Article 1(3)(b) and which are laid down in Regulation establishing the European Defence Fund, shall exclusively focus on defence research and applications , with the objective to foster consolidation , competitiveness, efficiency and innovation of the Union's defence industry and avoid duplications between the two programmes .	1. Activities to be carried out under the specific programme referred to in Article 1(3)(b) and which are laid down in Regulation establishing the European Defence Fund, shall be research with have an exclusive focus on defence applications, with the objective to foster the competitiveness, efficiency and innovation of defence industry as set out in paragraph 3 of this article.	PGA
170	2 This Regulation does not apply to the specific programme referred to in Article 1(3)(b), with the exception of this Article, Article 1(1) and (3) and Article 9(1).	<i>Unchanged</i>	2. This Regulation does not apply to the specific programme referred to in Article 1(3)(b), with the exception of this Article, Article 1 (1) and (3) , and Article 9(1).	PGA
171			3. Insofar as the specific programme referred to in Article 1(3)(b) is concerned, the Programme shall have the following objectives and broad lines of activities:	PGA

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172			<i>Not part of PGA (bracketed)</i>	
173			<i>Not part of PGA (bracketed)</i>	
174	Article 6 Implementation and forms of EU funding	Article 6 <i>Strategic planning and implementation</i> and forms of EU funding	<i>Unchanged</i>	
175	1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with funding bodies referred to in Article 62(1)(c) of the Financial Regulation.	<i>Unchanged</i>	<i>Unchanged</i>	
176	2. The Programme may provide funding to indirect actions in any of the forms laid down in the Financial Regulation, in particular grants (including operating grants), prizes and procurements It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding to indirect actions in any of the forms laid down in the Financial Regulation, in particular grants (including operating grants) <i>which shall be the main form of support under the Programme</i> , prizes and procurements It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding to indirect actions in any of the forms laid down in the Financial Regulation, in particular grants (including operating grants), prizes and procurements as the main form of support in the programme. It may also provide financing in the form of through prizes, procurements and financial instruments within blending operations and equity support under the EIC Accelerator.	2. The Programme may provide funding to indirect actions in any of the forms laid down in the Financial Regulation, in particular grants as <i>which shall be</i> the main form of support in the programme. It may also provide financing through prizes, procurements and financial instruments within blending operations and equity support under the EIC Accelerator.

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177	3. The rules for participation and dissemination laid down in this Regulation shall apply to indirect actions.	<i>Unchanged</i>	<i>Unchanged</i>	
178	4. The main types of action to be used under the Programme are set out and defined in Annex II. All forms of funding shall be used in a flexible manner across all objectives of the Programme with their use being determined on the basis of the needs and the characteristics of the particular objectives.	4. The main types of action to be used under the Programme are set out and defined in Article 2 and in Annex II. The forms of funding, referred to in paragraph 2, shall be used in a flexible manner across all objectives of the Programme with their use being determined on the basis of the needs and the characteristics of the particular objectives.	<i>Unchanged</i>	4. The main types of action to be used under the Programme are set out and defined in Article 2 and in Annex II. The forms of funding, referred to in paragraph 2, shall be used in a flexible manner across all objectives of the Programme with their use being determined on the basis of the needs and the characteristics of the particular objectives.
179	5. The Programme shall also support direct actions undertaken by the JRC. Where these actions contribute to initiatives established under Article 185 or Article 187 TFEU, this contribution shall not be considered as part of the financial contribution allocated to those initiatives.	<i>Unchanged</i>	<i>Unchanged</i>	
180	6. The implementation of the specific programme ²⁹ shall be based on a transparent and	6. The implementation of the specific programme ¹⁹ shall be based on Strategic R&I Plans	6. The implementation of the Specific Programme ⁸ and the EIT ⁹ shall be based on a	PGA

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	<p>strategic multiannual planning of research and innovation activities, in particular for the pillar 'Global Challenges and Industrial Competitiveness', following consultations with stakeholders about priorities and the suitable types of action and forms of implementation to use. This shall ensure alignment with other relevant Union programmes.</p> <p>_____</p> <p>29. ...</p>	<p><i>and in accordance with all the objectives of the Programme as set out in Article 3 and following a process of transparent, inclusive and strategic multiannual planning of research and innovation activities, in particular for the pillar 'Global Challenges and European Industrial Competitiveness'.</i></p> <p>Consultations with <i>national authorities, the European Parliament, RDI and industry stakeholders including European Technology Platforms (ETPs), civil society representatives, and independent advisory groups of high-level experts shall be held</i> about priorities and the suitable types of action and forms of implementation to use. <i>The Strategic Planning shall ensure alignment with other relevant Union programmes and increase complementarity and synergies with national and</i></p>	<p>transparent and strategic multiannual planning of research and innovation activities, in particular for the pillar 'Global Challenges and Industrial Competitiveness', following consultations with stakeholders about priorities and the suitable types of action and forms of implementation to use. This shall ensure alignment with other relevant Union programmes.</p> <p>_____</p> <p>8. [doc. 9870/18]</p> <p>9.</p>	

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		<i>regional RDI funding programmes and priorities, thereby strengthening the ERA.</i>		
182			(b) reflect international cooperation, expanding R&I collaborative links throughout the Union and beyond, open science and equal opportunities and the contributions of the social sciences and humanities as cross-cutting principles;	(b) reflect international cooperation, expanding R&I collaborative links throughout the Union and beyond and ; open science and equal opportunities and the contributions of the social sciences and humanities as cross-cutting principles; Comment: partially merged with Article 6.a. (2) and (5)
184		<i>6 a. The Programme shall provide the possibility to apply for funding in a faster manner for all beneficiaries. A number of research and innovation actions shall apply a Fast Track to Research and Innovation logic where time-to-grant shall not exceeding 6 months. This shall allow a faster, bottom-up access to funds for small collaborative consortia covering actions from fundamental research to</i>		<i>Not acceptable</i>

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		<i>market application. Calls under the Fast Track to Research and Innovation approach shall be continuously open with cut-off dates and be implemented in the work programmes under clusters, the EIC and the "spreading excellence" part.</i>		
185	7. Horizon Europe activities shall be primarily delivered through calls for proposals, some of which organised as parts of missions and European Partnerships.	7. Horizon Europe activities shall be delivered through calls for proposals, some of which organised as parts of missions and European Partnerships, <i>except for the activities referred to in Article 39 on Prizes.</i>	7. Horizon Europe activities shall be primarily delivered through open, competitive calls for proposals, some of which organised as parts of including within missions and European Partnerships.	PGA
186	8. Research and innovation activities carried out under Horizon Europe shall have a focus on civil applications.	<i>Deleted</i>	8. Research and innovation activities carried out under Horizon Europe the specific Programme referred to in Article 1(3)(a) and under the EIT shall have a an exclusive focus on civil applications.	8. Research and innovation activities carried out under Horizon Europe the specific Programme referred to in Article 1(3)(a) and under the EIT shall have a an exclusive focus on civil applications. Comment: merged into Article 6.a.(1)
187	9. The Programme shall ensure the effective promotion of gender equality and the gender dimension in research	<i>Deleted</i>	9. The Programme shall ensure the effective promotion of equal opportunities for all, and the implementation of gender	9. The Programme shall ensure the effective promotion of equal opportunities for all, and the implementation of gender

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	and innovation content. Particular attention shall be paid to ensuring gender balance, subject to the situation in the field of research and innovation concerned, in evaluation panels and in bodies such as expert groups.		equality mainstreaming , and of the gender dimension in the research and innovation content. Particular Attention shall be paid to ensuring encouraging gender balance, subject to the situation in the field of research and innovation concerned, in evaluation panels and in bodies such as expert groups.	equality mainstreaming, and of the gender dimension in the research and innovation content. Particular Attention shall be paid to ensuring encouraging gender balance, subject to the situation in the field of research and innovation concerned, in evaluation panels and in bodies such as expert groups. Comment: merged into Article 6.a.(5)
188		<i>Article 6 a Principles of EU funding and cross-cutting issues</i>		<i>Article 6 a Principles of EU funding and cross-cutting issues</i>
189		<i>1. Research and innovation activities carried out under Horizon Europe shall have an exclusive focus on civil applications. Budgetary transfers between the Programme and the European Defence Fund shall not be permitted.</i>		<i>1. Research and innovation activities carried out under the specific Programme referred to in Article 1(3)(a) and under the EIT shall have an exclusive focus on civil applications. Budgetary transfers between the amount allocated to the specific programme referred to in Article 1(3)(a) and the EIT and the amount allocated to the specific programme referred to</i>

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				<i>in Article 1(3)(b) the Programme and the European Defence Fund shall not be allowed permitted.</i>
190		<i>2. Horizon Europe shall ensure a multidisciplinary approach and shall foresee, where appropriate, the integration of social sciences and humanities across all activities developed under the Programme.</i>		<i>2. Horizon Europe shall ensure a multidisciplinary approach taking into account that social science and humanities shall play an important role across all cluster and shall foresee, where appropriate, the integration of social sciences and humanities across all activities developed under the Programme.</i>
191		<i>3. The collaborative parts of the Programme shall ensure a balance between lower and higher TRLs thereby covering the whole value chain.</i>		<i>3. The collaborative parts of the Programme shall ensure a balance between lower and higher TRLs thereby covering the whole value chain.</i>
192		<i>4. The Programme shall aim to significantly reduce the RDI divide within the Union and to promote broad geographical coverage in collaborative projects. Those efforts shall be mirrored by proportional measures by Member States, with the support of Union,</i>		Not acceptable

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		<i>national and regional funds. Particular attention shall be paid to geographical balance, subject to the situation in the field of research and innovation concerned, in funded projects, evaluation panels and in bodies such as boards and expert groups, without undermining the excellence criteria.</i>		
193		<i>5. The Programme shall ensure the effective promotion of gender equality and the gender dimension in research and innovation content and shall address the causes of gender imbalance. Particular attention shall be paid to ensuring gender balance, subject to the situation in the field of research and innovation concerned, in evaluation panels and in other relevant advisory bodies such as boards and expert groups.</i>		<i>5. The Programme shall ensure the effective promotion of equal opportunities for all, and the implementation of gender mainstreaming, and of the gender dimension in the research and innovation content and shall aim to address the causes of gender imbalance. Particular attention shall 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.</i>
194		<i>6. The Programme shall aim at</i>		<i>6. The Commission when</i>

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		<i>continuous administrative simplification and reduction of the burden for the beneficiaries.</i>		<i>implementing the programme shall aim at continuous administrative simplification and reduction of the burden for the beneficiaries.</i>
195		<i>7. Climate mainstreaming shall be adequately integrated in research and innovation content and applied at all stages of the research cycle.</i>		<i>7. Climate mainstreaming shall be adequately integrated in research and innovation content and applied at all stages of the research cycle.</i>
196		<i>8. The programme shall provide, where applicable, for societal engagement to better align the process of R&I and its outcomes with the values and needs of society, by promoting science engagement and science education activities and by co-creation and co-design of scientific agendas through engagement of citizens and civil society in R&I priority-setting.</i>		<i>8. The programme shall provide, where appropriate applicable, for societal engagement to better align the process of R&I and its outcomes with the values and needs of society, by promoting science engagement and science education activities and by co-creation and co-design of scientific agendas through engagement of citizens and civil society in R&I priority-setting.</i>
197		<i>9. The programme shall ensure transparency and accountability of public funding in research and innovation projects, thereby</i>		

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		<i>preserving the public interest.</i>		
198		<i>10. The Commission or the relevant funding body shall ensure that sufficient guidance and information is made available to all potential participants at the time of publication of the call for proposals, in particular the applicable model grant agreement.</i>		<i>10. The Commission or the relevant funding body shall ensure that sufficient guidance and information is made available to all potential participants at the time of publication of the call for proposals, in particular the applicable model grant agreement.</i>
199	Article 7 Missions	<i>Unchanged</i>	<i>Unchanged</i>	
200	1. Missions shall be programmed within the pillar 'Global Challenges and Industrial Competitiveness', but may also benefit from actions carried out within other parts of the Programme.	1. Missions shall be programmed within the pillar 'Global Challenges and European Industrial Competitiveness', but may also benefit from actions carried out within other parts of the Programme <i>as well as actions carried out under other Union funding programmes, under Horizon Europe rules.</i>	1. Missions shall be programmed within the pillar 'Global Challenges and European Industrial Competitiveness ', but may also benefit from actions carried out within other parts of the Programme. Missions shall be based on challenges relevant for a wide range of European citizens, allow for competing solutions, resulting in pan-European added value and impact.	1. Missions shall be programmed within the pillar 'Global Challenges and European Industrial Competitiveness ', but may also benefit from actions carried out within other parts of the Programme <i>as well as actions carried out under other Union funding programmes.</i> Missions shall be based on challenges relevant for a wide range of European citizens, allow for competing solutions, resulting in pan-European added value

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				and impact.
201	2. The missions shall be implemented in accordance with Article 5 of the Specific Programme. Evaluation shall be carried out in accordance with Article 26.	2. <i>The content of the missions, objectives, targets, timelines and their implementation shall be further specified in the Strategic R&I Plans as identified, as defined in Article 2 and specified in Article 6 of the Framework programme and in Article 5 of the Specific Programme. Evaluation shall be carried out in accordance with Article 26.</i>	2. The missions shall be defined and implemented in accordance with Article 5 of the Specific Programme, ensuring the active and early involvement of the Member States. Evaluation of proposals under the missions shall be carried out in accordance with Article 26.	PGA
202		<i>2 a. During the first two years of the programme, a maximum of 10% of the annual budget of Pillar II shall be programmed through specific calls for implementing the missions. For the last three years of the programme, and only after a positive evaluation of the mission selection and management process, this percentage may be increased. The total budgetary share dedicated to missions shall be specified in Strategic R&I Plans.</i>		Not acceptable

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203		<i>2 b. A full evaluation of the missions covering the scope, governance, Board appointment and their preliminary actions shall be carried out in accordance with their respective measurable milestones. The recommendations resulting from that evaluation shall be taken into account before programming new missions or before continuing, terminating or redirecting existing ones.</i>		Comment: PGA text in Article 7(4) instead of EP text
204	3. Missions shall:	<i>Unchanged</i>	<i>Unchanged</i>	
205	(a) have a clear EU-added value and contribute to reaching Union priorities;	(a) have a clear EU-added value and contribute to reaching Union priorities, <i>objectives and commitments</i> ;	(a) have a clear research and innovation content , EU-added value, and contribute to reaching Union priorities and Horizon Europe programme objectives laid down in Article 3 ;	PGA
206		<i>(a a) be inclusive, encourage broad engagement and ensure participation of various types of stakeholders and deliver R&D&I results benefitting all Member States;</i>		Not acceptable
207	(b) be bold and inspirational,	(b) be bold, inspirational, and	(b) be bold and inspirational,	(b) be bold and inspirational,

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	and hence have wide societal or economic relevance;	have wide societal, <i>scientific, technological, diplomatic, environmental</i> or economic relevance;	and hence have wide, scientific, technological , societal and/or economic and/or policy relevance and impact ;	and have wide, scientific, technological, societal and/or environmental and/or economic and/or policy relevance and impact;
208	(c) indicate a clear direction and be targeted, measurable and time-bound;	<i>Unchanged</i>	(c) indicate a clear direction and be targeted, measurable, time-bound and have a clear budget frame ;	(c) indicate a clear direction and objective , and be targeted, measurable, time-bound and have a clear budget frame;
209	(d) be centered on ambitious but realistic research and innovation activities;	(d) <i>be selected in a transparent manner and</i> be centered on ambitious, <i>excellence-driven</i> , but realistic research and innovation activities <i>across all stages of development</i> ;	(d) be selected in a transparent manner and be centered on ambitious but realistic goals and research, development and innovation activities;	(d) be selected in a transparent manner and be centered on ambitious but realistic goals and research, development and innovation activities across all stages of development ;
210		<i>(d a) include an element of urgency regarding the mission objectives, have the necessary scope, scale and wide mobilization of the resources required and with the sole focus being to deliver the mission outcome</i> ;		
211	(e) spark activity across disciplines, sectors and actors;	(e) spark activity across disciplines <i>(including social sciences and humanities)</i> , sectors and actors;	(e) stimulate spark activity across disciplines, (including Social Sciences and Humanities) and enable active participation of stakeholders	PGA

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			from public and private sectors and actors, including citizens and end-users and encompassing activities from a broad range of TRLs, including lower TRLs;	
212	(f) be open to multiple, bottom-up solutions.	<i>Unchanged</i>	(f) be open to multiple, bottom-up approaches and solutions taking into account human and societal needs and benefits and recognizing the importance of diverse contributions to achieve these missions.	PGA
213		<i>(f a) achieve synergies in a transparent manner with other Union programmes as well as with public and private funds, including through active involvement of national and regional innovation ecosystems.</i>		<i>(f a) achieve synergies in a transparent manner with other Union programmes as well as with public and private funds. including through active involvement of national and regional innovation ecosystems.</i>
213.a			4. The Commission shall monitor and evaluate each mission in accordance with Annex V of this regulation, including progress towards short, medium and long-term targets, covering	4. The Commission shall assess monitor and evaluate each mission in accordance with Annex V of this regulation, including progress towards short, medium and long-term targets, covering

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			implementation, monitoring and phasing-out of the missions. A review of the first missions established under Horizon Europe shall take place no later than 2023 and before any decision is taken on creating new missions, continuing, terminating or redirecting ongoing missions.	<i>implementation, monitoring and phasing-out of the missions. An assessment review of the first missions established under Horizon Europe shall take place no later than 2023 and before any decision is taken on creating new missions, continuing, terminating or redirecting ongoing missions.</i>
214		<i>Article 7 a The European Innovation Council</i>		
218	Article 8 European Partnerships	<i>Unchanged</i>	<i>Unchanged</i>	
219	1. Parts of Horizon Europe may be implemented through European Partnerships. The involvement of the Union in European Partnerships may take any of the following forms:	<i>Unchanged</i>	<i>Unchanged</i>	
220	(a) participation in partnerships set up on the basis of memoranda of understanding and/or contractual arrangements between the Commission and the partners referred to in	<i>Unchanged</i>	(a) participation in partnerships set up on the basis of memoranda of understanding and/or contractual arrangements between the Commission and the partners referred to in	PGA

Row	COMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
	Article 2(3), specifying the objectives of the partnership, related commitments for financial and/or in-kind contributions of the partners, key performance and impact indicators, and outputs to be delivered. They include the identification of complementary research and innovation activities that are implemented by the partners and by the Programme (Co-programmed European Partnerships);		Article 2(3), specifying the objectives of the partnership, related commitments from all involved sides for financial and/or in-kind contributions of the partners, key performance and impact indicators, outputs to be delivered and reporting modalities . They include the identification of complementary research and innovation activities that are implemented by the partners and by the Programme (Co-programmed European Partnerships);	
221	(b) participation in and financial contribution to a programme of research and innovation activities, based on the commitment of the partners for financial and in-kind contributions and integration of their relevant activities using a Programme co-fund action (Co-funded European Partnerships);	<i>Unchanged</i>	(b) participation in and financial contribution to a programme of research and innovation activities, specifying the objectives, key performance and impact indicators, and outputs to be delivered , based on the commitment of the partners for financial and/or in-kind contributions and integration of their relevant activities using a Programme co-fund action (Co-funded European Partnerships);	PGA

Row	COMMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
			[financial contributions stemming from ESIF shall be allowed and considered as a national contribution.]	
222	(c) participation in and financial contribution to research and innovation programmes undertaken by several Member States in accordance with Article 185 TFEU, or by bodies established pursuant to Article 187 TFEU, such as Joint Undertakings, or by the EIT Knowledge and Innovation Communities in compliance with the [EIT Regulation] (Institutionalised European Partnerships), to be implemented only where other forms of European Partnerships would not achieve the objectives or would not generate the necessary expected impacts, and if justified by a long-term perspective and high degree of integration including central management of all financial contributions.	(c) participation in and financial <i>and/or in-kind contributions</i> to research and innovation programmes undertaken by several Member States in accordance with Article 185 TFEU, or by bodies established pursuant to Article 187 TFEU, such as Joint Undertakings, or by the EIT Knowledge and Innovation Communities in compliance with the [EIT Regulation] (Institutionalised European Partnerships), to be implemented only where other forms of European Partnerships would not achieve the objectives or would not generate the necessary expected impacts, and if justified by a long-term perspective and high degree of integration including central management of all financial contributions.	(c) participation in and financial contribution to research and innovation programmes undertaken by several Member States in accordance with Article 185 TFEU, or by bodies established pursuant to Article 187 TFEU, such as Joint Undertakings, or by the EIT Knowledge and Innovation Communities in compliance with the [EIT Regulation] (Institutionalised European Partnerships). Such partnerships shall be to be implemented only where other parts of the Horizon Europe programme, including other forms of European Partnerships would not achieve the objectives or would not generate the necessary expected impacts, and if justified by a long-term perspective and high degree of integration including .	PGA

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			<p>Partnerships in accordance with Article 185 TFEU or pursuant to Article 187 TEFU shall implement a central management of all financial contributions, except in duly justified cases, while respecting the principle that the contribution from one participating state will not be used to support a beneficiary from another participating state, unless otherwise agreed among all participating states concerned. The rules for such partnerships shall specify inter alia the objectives, key performance and impact indicators, and outputs to be delivered, as well as the related commitments for financial and/or in-kind contributions of the partners. [Financial contributions stemming from ESIF shall be allowed and considered as a national contribution.]</p>	
223	2. European Partnerships shall:	<i>Unchanged</i>	<i>Unchanged</i>	

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224	(a) Be established in cases where they will more effectively achieve objectives of Horizon Europe than the Union alone;	(a) <i>be</i> established <i>only</i> in cases where they will more effectively achieve objectives of Horizon Europe <i>when compared to other parts of the Framework programme</i> ;	(a) Be established for addressing European or global challenges only in cases where they will more effectively achieve objectives of Horizon Europe than the Union alone. Those parts shall have an appropriate share of the budget of Horizon Europe. The majority of the budget in pillar II shall be allocated to actions outside of European partnerships;	PGA
225	(b) Adhere to the principles of Union added value, transparency, openness, impact, leverage effect, long-term financial commitment of all the involved parties, flexibility, coherence and complementarity with Union, local, regional national and international initiatives;	(b) <i>adhere</i> to the principles of Union added value, transparency, openness, impact, <i>strong</i> leverage effect, long-term financial <i>and/or in-kind</i> commitment of all the involved parties, flexibility, coherence, and complementarity with Union, local, regional national and international initiatives;	(b) Adhere to the principles of Union added value, transparency, openness, impact within and for Europe , leverage effect on sufficient scale , long-term financial commitment of all the involved parties, flexibility in implementation , coherence, coordination and complementarity with Union, local, regional, national and, where relevant , international initiatives or other partnerships and missions;	PGA
226	(c) Be time limited and	(c) <i>be</i> time limited and	(c) Have a clear life-cycle	PGA

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	include conditions for phasing-out the Programme funding.	include conditions for phasing-out the Programme funding.	approach , be time limited and include conditions for phasing-out the Programme funding.	
227		<i>2 a. All Partnerships shall be identified in Strategic R&I Plans, as referred to in Article 6 of and Annex III to the Framework Programme and Annex I to the Specific Programme, before being implemented in work programmes or work plans.</i>		Not acceptable
228	Provisions and criteria for their selection, implementation, monitoring, evaluation and phasing-out are set out in Annex III.	<i>Unchanged</i>	<i>Unchanged</i>	
229	Article 9 Budget	<i>Unchanged</i>	<i>Unchanged</i>	
261	Article 10 Open access and open data	<i>Unchanged</i>	Article 10 Open access and open data science	PGA
262	1. Open access to scientific publications resulting from research funded under the Programme shall be ensured in accordance with Article 35(3). Open access to research data shall be ensured in line with the	1. Open access to scientific publications resulting from research funded under the Programme shall be ensured in accordance with Article 35(3). Open access to research data shall be ensured in line with the	1. Open access to scientific publications resulting from research funded under the Programme and open access to research data, including those underlying scientific publications , shall be ensured	1. Open access to scientific publications resulting from research funded under the Programme and open access to research data, including those underlying scientific publications, shall be ensured in

Row	COMMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
	principle 'as open as possible, as closed as necessary'. Open access to other research outputs shall be encouraged.	principle 'as open as possible, as closed as necessary'.	in accordance with Article 35(3) of this regulation . Open access to research data The latter shall also be ensured in line with the principle 'as open as possible, as closed as necessary'. Open access to other research outputs shall be encouraged, including for the benefit of SMEs .	accordance with Article 35(3) of this regulation. The latter Open access to research data shall also be in line with the principle 'as open as possible, as closed as necessary'. Open access to other research outputs shall be encouraged, including for the benefit of SMEs.
263		<i>1 a. Open access to research data shall recognise the need for different access regimes because of the Union's economic interest, Intellectual Property Rights, personal data protection and confidentiality, security concerns and other legitimate interests, including the possibility for opt-out. Data management plans during the duration of the project shall be considered as eligible costs.</i>		Comment: merged with Article 35. Costs for data management plans will be added to article 32 as eligible costs.
264		<i>1 b. Reciprocal open access to scientific publications and research data shall be promoted internationally, taking into account the Union's competitiveness and</i>		

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		<i>industrial interests. In particular, reciprocal open access shall be encouraged in all association agreements and in S&T cooperation agreements with third countries, including agreements signed by funding bodies entrusted for indirect management of the Programme.</i>		
265	2. Responsible management of research data shall be ensured in line with the principles ‘Findability’, ‘Accessibility’, ‘Interoperability’ and ‘Reusability’ (FAIR).	2. Responsible management of research data shall be ensured in line with the principles <i>of data</i> ‘Findability’, ‘Accessibility’, ‘Interoperability’ and ‘Reusability’ (FAIR).	2. Responsible management of research data shall be ensured in line with the principles ‘Findability’, ‘Accessibility’, ‘Interoperability’ and ‘Reusability’ (FAIR). Attention shall also be paid to the long-term preservation of data.	PGA
266	3. Open science practices beyond open access to research outputs and responsible management of research data shall be promoted.	3. Open science practices beyond open access to research <i>data and scientific publications</i> and responsible management of research data shall be promoted.	3. Open science practices including and beyond open access to research outputs and responsible management of research data shall be promoted and encouraged.	PGA
275	Article 12 Third countries associated to the Programme	<i>Unchanged</i>	Article 12 Third countries associated to the Programme¹⁰ <small>10. [This article is part of the MFF</small>	

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			negotiating box and will therefore be modified based on horizontal orientation. It is understood that the association of EFTA members should be in accordance with the specific conditions laid down in agreements between the Union and those countries.]	
294	TITLE II RULES FOR PARTICIPATION AND DISSEMINATION	<i>Unchanged</i>	<i>Unchanged</i>	
295	CHAPTER I General provisions	<i>Unchanged</i>	<i>Unchanged</i>	
296	Article 13 Funding bodies and direct actions of JRC	<i>Unchanged</i>	<i>Unchanged</i>	
297	1. Funding bodies may depart from the rules set out in this Title only if this is provided for in the basic act setting up the funding body or entrusting budget implementation tasks to it or, for funding bodies under Article 62(1)(c)(ii), (iii) or (v) of the Financial Regulation, if it is provided for in the contribution agreement and their specific operating needs or the nature of the action so require.	<i>Unchanged</i>	1. Funding bodies may depart from the rules set out in this Title, except from Articles 14, 15 and 16, in duly justified cases and only if this is provided for in the basic act setting up the funding body or entrusting budget implementation tasks to it or, for funding bodies under Article 62(1)(c)(ii), (iii) or (v) of the Financial Regulation, if it is provided for in the contribution agreement and their specific	PGA

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			operating needs or the nature of the action so require.	
298	2. The rules set out in this Title shall not apply to direct actions undertaken by the JRC.	<i>Unchanged</i>	<i>Unchanged</i>	
299	Article 14 Eligible actions	Article 14 Eligible actions <i>and ethical principles</i>	<i>Unchanged</i>	PGA
300	1. Without prejudice to paragraphs 2 and 3 of this Article, only actions implementing the objectives referred to in Article 3 shall be eligible for funding.	<i>Unchanged</i>	1. Without prejudice to paragraphs 2 and 3 of this Article, only actions implementing the objectives referred to in Article 3 shall be eligible for funding.	PGA
301	The following fields of research shall not be financed:	<i>Unchanged</i>	<i>Unchanged</i>	
302	(a) activities aiming at human cloning for reproductive purposes;	<i>Unchanged</i>	<i>Unchanged</i>	
303	(b) activities intended to modify the genetic heritage of human beings which could make such changes heritable ³⁰ ; 30. Research relating to cancer treatment of the gonads can be financed	<i>Unchanged</i>	<i>Unchanged</i>	
304	(c) activities intended to create human embryos solely for the purpose of research or	<i>Unchanged</i>	<i>Unchanged</i>	

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	for the purpose of stem cell procurement, including by means of somatic cell nuclear transfer.			
305	2. Research on human stem cells, both adult and embryonic, may be financed, depending both on the contents of the scientific proposal and the legal framework of the Member States involved. No funding shall be granted for research activities that are prohibited in all the Member States. No activity shall be funded in a Member State where such activity is forbidden.	<i>Unchanged</i>	2. Research on human stem cells, both adult and embryonic, may be financed, depending both on the contents of the scientific proposal and the legal framework of the Member States involved. No funding shall be granted, neither within nor outside the EU , for research activities that are prohibited in all the Member States. No activity shall be funded in a Member State where such activity is forbidden.	PGA
306	3. The fields of research set out in paragraph 1 may be reviewed within the context of the interim evaluation referred to in Article 47(2) in the light of scientific advances.	<i>Unchanged</i>	3. The fields of research set out in paragraph 1 may be reviewed within the context of the interim evaluation referred to in Article 47(2) in the light of scientific advances.	PGA (= text deleted)
307	Article 15 Ethics	<i>Unchanged</i>	Article 15 Ethics ¹² 12. Subject to the final legal act, the Commission will provide a declaration on human embryonic	

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			stem cell research as in H2020 (Declaration 2013 / C 373/02).	
308	1. Actions carried out under the Programme shall comply with ethical principles and relevant national, Union and international legislation, including the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights and its Supplementary Protocols.	<i>Unchanged</i>	<i>Unchanged</i>	
309	Particular attention shall be paid to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to the physical and mental integrity of a person, the right to non-discrimination and the need to ensure high levels of human health protection.	<i>Unchanged</i>	Particular attention shall be paid to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to the physical and mental integrity of a person, the right to non-discrimination and , the need to ensure high levels of human health protection as well as the protection of the environment.	Particular attention shall be paid to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to the physical and mental integrity of a person, the right to non-discrimination, the need to ensure <i>protection of the environment and high levels of human health protection.</i>
310	2. Entities participating in the action shall provide:	<i>Unchanged</i>	<i>Unchanged</i>	
311	(a) an ethics self-assessment identifying and detailing all the foreseeable ethics issues related	<i>Unchanged</i>	<i>Unchanged</i>	

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	to the objective, implementation and likely impact of the activities to be funded, including a confirmation of compliance with paragraph 1, and a description of how it will be ensured;			
312	(b) a confirmation that the activities will comply with the European Code of Conduct for Research Integrity published by All European Academies and that no activities excluded from funding will be conducted;	<i>Unchanged</i>	<i>Unchanged</i>	
313	(c) for activities carried out outside the Union, a confirmation that the same activities would have been allowed in a Member State; and	<i>Unchanged</i>	<i>Unchanged</i>	
314	(d) for activities making use of human embryonic stem cells, as appropriate, details of licensing and control measures that shall be taken by the competent authorities of the Member States concerned as well as details of the ethics approvals that shall be obtained before the activities concerned	<i>Unchanged</i>	<i>Unchanged</i>	

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	start.			
315	3. Proposals shall be systematically screened to identify those actions raising complex or serious ethics issues and submit them to an ethics assessment. The ethics assessment shall be carried out by the Commission unless it is delegated to the funding body. For actions involving the use of human embryonic stem cells or human embryos, an ethics assessment shall be mandatory. Ethics screenings and assessments shall be carried out with the support of ethics experts. The Commission and the funding bodies shall ensure the transparency of the ethics procedures as much as possible.	3. Proposals shall be systematically screened to identify those actions raising complex or serious ethics issues and submit them to an ethics assessment. The ethics assessment shall be carried out by the Commission unless it is delegated to the funding body. For actions involving the use of human embryonic stem cells or human embryos, an ethics assessment shall be mandatory. Ethics screenings and assessments shall be carried out with the support of ethics experts. The Commission and the funding bodies shall ensure the transparency of the ethics procedures as much as possible.	<i>Unchanged</i>	PGA
316	4. Entities participating in the action shall obtain all approvals or other mandatory documents from the relevant national, local ethics committees or other bodies such as data protection authorities before the start of the relevant	<i>Unchanged</i>	<i>Unchanged</i>	

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	activities. Those documents shall be kept on file and provided to the Commission or funding body upon request.			
317	5. If appropriate, ethics checks shall be carried out by the Commission or funding body. For serious or complex ethics issues, the checks shall be carried out by the Commission unless it is delegated to the funding body.	<i>Unchanged</i>	<i>Unchanged</i>	
318	Ethics checks shall be carried out with the support of ethics experts.	<i>Unchanged</i>	<i>Unchanged</i>	
319	6. Actions which are not ethically acceptable may be rejected or terminated at any time.	6. Actions which are not ethically acceptable shall be rejected or terminated as soon as the ethical unacceptability has been established.	6. Actions which are do not ethically acceptable fulfil the ethical requirements referred to in paragraph 1-4 may be rejected or terminated at any time.	6. Actions which do not fulfil the ethical requirements referred to in paragraph 1-4 may shall be rejected or terminated at any time, once the ethical unacceptability has been established.
320	Article 16 Security	<i>Unchanged</i>	<i>Unchanged</i>	
321	1. Actions carried out under the Programme shall comply with the applicable security rules and in particular rules on protection of classified	<i>Unchanged</i>	<i>Unchanged</i>	

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	information against unauthorised disclosure, including compliance with any relevant national and Union law. In case of research carried out outside the Union using and/or generating classified information, it is necessary that, in addition to the compliance with those requirements, a security agreement shall have to be concluded between the Union and the third country in which the research is conducted.			
322	2. Where appropriate, proposals shall include a security self-assessment identifying any security issues and detailing how these issues will be addressed in order to meet the relevant national and Union law.	<i>Unchanged</i>	<i>Unchanged</i>	
323	3. Where appropriate, the Commission or funding body shall carry out a security scrutiny for proposals raising security issues.	<i>Unchanged</i>	<i>Unchanged</i>	
324	4. Where appropriate, the actions shall comply with	<i>Unchanged</i>	<i>Unchanged</i>	

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	Decision (EU, Euratom) 2015/444, and its implementing rules.			
325	5. Entities participating in the action shall ensure the protection against unauthorised disclosure of classified information used and/or generated by the action. They shall provide proof of personal and/or facility security clearance from the relevant national security authorities, prior to the start of the activities concerned.	5. Entities participating in the action shall ensure the protection against unauthorised disclosure of classified information used and/or generated by the action. They shall provide proof of personal and/or facility security clearance from the relevant national security authorities, prior to the start of the activities concerned <i>on request by the Commission or a funding body.</i>	<i>Unchanged</i>	PGA
326	6. If external experts have to deal with classified information, the appropriate security clearance shall be required before those experts are appointed.	<i>Unchanged</i>	<i>Unchanged</i>	
327	7. Where appropriate, the Commission or funding body may carry out security checks.	<i>Unchanged</i>	<i>Unchanged</i>	
328	8. Actions which do not comply with security rules may be rejected or terminated at any time.	<i>Unchanged</i>	8. Actions which do not comply with the security rules requirements referred to in paragraphs 1, 2, 4, 5 and 7	PGA

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			may be rejected or terminated at any time.	
329	CHAPTER II Grants	<i>Unchanged</i>	<i>Unchanged</i>	
330	Article 17 Grants	<i>Unchanged</i>	<i>Unchanged</i>	
332	Article 18 Entities eligible for participation	<i>Unchanged</i>	<i>Unchanged</i>	
405	Article 19 Entities eligible for funding	<i>Unchanged</i>	<i>Unchanged</i>	
417	Article 20 Calls for proposals	<i>Unchanged</i>	<i>Unchanged</i>	
429	Article 21 Joint calls	<i>Unchanged</i>	<i>Unchanged</i>	
435	Article 22 Pre-commercial procurement and procurement of innovative solutions	<i>Unchanged</i>	<i>Unchanged</i>	
444	Article 23 Cumulative funding	<i>Deleted</i>	¹⁹ [Article 23 Cumulative funding <u>19.</u> [Subject to the outcome of negotiations on the respective legal acts.]	
446	Article 24 Selection criteria	Article 24 <i>Financial capacity of applicants</i>	<i>Unchanged</i>	
452	Article 25	Article 25	<i>Unchanged</i>	

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	Award criteria	<i>Selection and</i> award criteria		
460	Article 26 Evaluation	<i>Unchanged</i>	<i>Unchanged</i>	
471	Article 27 Evaluation review procedure	Article 27 Evaluation review procedure, <i>enquiries and complaints</i>	<i>Unchanged</i>	
479	Article 28 Time to grant	<i>Unchanged</i>	<i>Unchanged</i>	
487	Article 29 Implementation of the grant	<i>Unchanged</i>	<i>Unchanged</i>	
494	Article 30 Funding rates	<i>Unchanged</i>	<i>Unchanged</i>	
500	Article 31 Indirect costs	<i>Unchanged</i>	<i>Unchanged</i>	
504	Article 32 Eligible costs	<i>Unchanged</i>	<i>Unchanged</i>	
514	Article 33 Mutual Insurance Mechanism	<i>Unchanged</i>	<i>Unchanged</i>	
526	Article 34 Ownership and protection	<i>Unchanged</i>	<i>Unchanged</i>	
536	Article 35 Exploitation and dissemination	<i>Unchanged</i>	<i>Unchanged</i>	
537	1. Beneficiaries having received Union funding shall use their best efforts to exploit their results, in particular in the Union. Exploitation may be	1. Beneficiaries having received Union funding shall make their best efforts to exploit their results, especially in the Union. Exploitation may be	1. Beneficiaries having received Union funding shall use their best efforts to exploit their results, in particular in the Union and in the Associated	PGA

Row	COMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
	done directly by the beneficiaries or indirectly in particular through the transfer and licensing of results in accordance with Article 36.	done directly by the beneficiaries or indirectly in particular through the transfer and licensing of results in accordance with Article 36.	Countries of the beneficiaries involved in the action. Exploitation may be done directly by the beneficiaries or indirectly in particular through the transfer and licensing of results in accordance with Article 36.	
538	The work programme may provide for additional exploitation obligations.	<i>Unchanged</i>	<i>Unchanged</i>	
542	3. Beneficiaries shall ensure that open access to scientific publications applies under the terms and conditions laid down in the grant agreement. In particular, the beneficiaries shall ensure that they or the authors retain sufficient intellectual property rights to comply with their open access requirements.	3. Beneficiaries shall ensure that open access to scientific publications applies under the terms and conditions laid down in the grant agreement. In particular, the beneficiaries shall ensure that they or the authors retain sufficient intellectual property rights to comply with FAIR open access requirements.	<i>Unchanged</i>	PGA
543	Open access to research data shall be the general rule under the terms and conditions laid down in the grant agreement, but exceptions shall apply if justified, taking into consideration the legitimate	<i>With regard to the dissemination of research data, the grant agreement shall, in the context of FAIR open access to and the preservation of research data, lay down terms and conditions under which fair</i>	Open access to research data shall be the general rule under the terms and conditions laid down in the grant agreement, but exceptions shall apply if justified, taking into consideration the legitimate	Open access to research data shall be the general rule under the terms and conditions laid down in the grant agreement., but e Exceptions shall apply if justified, taking into consideration the legitimate

Row	COMMISSION PROPOSAL COM(2018)0435	EP PLENARY TEXT, December 2018	COUNCIL PARTIAL GENERAL APPROACH (doc. 15102/18)	Compromise proposal/ comments
	interests of the beneficiaries and any other constraints, such as data protection rules, security rules or intellectual property rights.	<i>access to such results shall be provided, ensuring opt-outs following the principle ‘as open as possible, as closed as necessary’.</i> Exceptions shall apply if justified, taking into consideration the legitimate interests of the beneficiaries and any other constraints, such as data protection rules, <i>privacy, confidentiality</i> , security rules, <i>trade secrets, legitimate commercial interests</i> or intellectual property rights <i>or Union’s external competitiveness.</i>	interests of the beneficiaries including commercial exploitation and any other constraints, such as data protection rules, security rules or intellectual property rights.	interests of the beneficiaries including commercial exploitation and any other constraints, such as data protection rules, <i>privacy, confidentiality</i> , security rules or intellectual property rights.
544	The work programme may provide for additional obligations to adhere to open science practices.	The work programme may provide for additional <i>incentives</i> to adhere to open science practices.	<i>Unchanged</i>	PGA
545	4. Beneficiaries shall manage all research data in accordance with the terms and conditions laid down in the grant agreement and shall establish a Data Management Plan.	4. Beneficiaries shall manage all research data <i>generated in a Horizon Europe action</i> in accordance with the terms and conditions laid down in the grant agreement and shall establish a Data Management Plan.	4. Beneficiaries shall manage all research data in line with the FAIR principles and in accordance with the terms and conditions laid down in the grant agreement and shall establish a Data Management Plan.	4. Beneficiaries shall manage all research data <i>generated in a Horizon Europe action</i> in line with the FAIR principles and in accordance with the terms and conditions laid down in the grant agreement and shall establish a Data Management Plan.

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547	5. Beneficiaries that intend to disseminate their results shall give advance notice to the other beneficiaries in the action. Any other beneficiary may object if it can show that the intended dissemination would significantly harm its legitimate interests in relation to its results or background. In such cases, the dissemination may not take place unless appropriate steps are taken to safeguard these legitimate interests.	<i>Unchanged</i>	<i>Unchanged</i>	
550	7. For the purposes of monitoring and dissemination by the Commission or funding body, the beneficiaries shall provide any requested information regarding the exploitation and dissemination of their results. Subject to the legitimate interests of the beneficiaries, such information shall be made publicly available.	7. For the purposes of monitoring and dissemination by the Commission or funding body, the beneficiaries shall provide any <i>necessary</i> requested information regarding the exploitation and dissemination of their results <i>in accordance with the the grant agreement</i> . Subject to the legitimate interests of the beneficiaries, such information shall be made publicly available.	7. For the purposes of monitoring and dissemination by the Commission or funding body, the beneficiaries shall provide any requested information regarding the exploitation and dissemination of their results, in accordance with the conditions laid down in the grant agreement . Subject to the legitimate interests of the beneficiaries, such information shall be made publicly available.	PGA
551	Article 36	<i>Unchanged</i>	<i>Unchanged</i>	

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	Transfer and licensing			
