



Brussels, 11.8.2017
COM(2017) 434 final

2017/0200 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

On 30 May 2017 the Council authorised the Commission to open negotiations, on behalf of the Union, with the Hashemite Kingdom of Jordan ('Jordan') on an International Agreement between the Union and Jordan laying down the terms and conditions for the participation of Jordan in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA').

According to the terms of the Council authorising decision, negotiations could only be started upon adoption of a Decision of the European Parliament and of the Council on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States.

The negotiations started on 26 June 2017 and were successfully completed on 10 July 2017, when the draft Agreement text was initialled by the representatives of each of the future Parties. The draft Agreement attached to this proposal is in line with the negotiating directives issued by the Council. In particular, it establishes that the terms and conditions for the participation of Jordan in PRIMA shall be those set out in Decision (EU) 2017/1324¹, making direct reference to the Union legislative act.

In order to ensure the protection of Union financial interests, particularly the powers of the Commission, the European Anti-Fraud Office, the Court of Auditors and the PRIMA Implementation Structure (PRIMA-IS) to carry out audits and investigations in accordance with the applicable Union legislation, the Agreement makes specific reference to the relevant provisions of Decision (EU) 2017/1324 and obliges the Parties to provide all necessary assistance to ensure their implementation. In addition, the future Agreement stipulates that the Parties must agree on detailed arrangements for assistance, such arrangements being essential to their cooperation under this Agreement.

• Consistency with existing policy provisions in the policy area

As also presented in the impact assessment report for PRIMA² the openness of PRIMA to the participation of third countries such as Jordan is consistent with the objectives of international cooperation for research and innovation as outlined in the 2012 Commission Communication 'Enhancing and focusing EU international cooperation in research and innovation: A strategic approach'³ and Horizon 2020 Framework Programme, which promotes cooperation with third countries in science, technology and innovation in order to tackle global societal challenges and support Union external policies. This Agreement is also consistent with the existing Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part⁴ and the Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation⁵ which provide for cooperation between

¹ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States (OJ L 185, 18.07.2017, p. 1).

² SWD(2016)332 final, 18.10.2016.

³ COM(2012) 497 final.

⁴ OJ L129, of 15.05.2002, p. 3.

⁵ OJ L 159 of 17.06.2011, p.108.

Union and Jordan in research and technological development and encourage research and development activities in the fields of common interest.

- **Consistency with other Union policies**

The implementation of PRIMA in close cooperation with third countries such as Jordan, is also consistent with, and relevant for, other Union policies, such as migration policy, development policy and neighbourhood policy.

2. LEGAL ELEMENTS OF THE PROPOSAL

The proposal for a Council decision is based on Article 186 and 218(6)(a) of the Treaty on the Functioning of the European Union.

3. BUDGETARY IMPLICATIONS

The Legislative Financial Statement presented with this Decision sets out the indicative budgetary implications.

In the light of the above, the Commission proposes that the Council concludes the Agreement on behalf of the European Union.

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186 in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) Decision (EU) 2017/1324 of the European Parliament and of the Council⁶ provides for the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States.
- (2) The Hashemite Kingdom of Jordan ('Jordan') expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States and countries associated to Horizon 2020 participating in PRIMA.
- (3) In accordance with Article 1(2) of Decision (EU) 2017/1324 Jordan is to become a Participating State in PRIMA subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions of Jordan's participation in PRIMA.
- (4) In accordance with Council Decision <XXX>⁷, the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA), was signed on behalf of the Union on XX, 20XX, subject to its conclusion at a later date.
- (5) The Agreement should be approved on behalf of the Union.

⁶ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States (OJ L 185, 18.07.2017, p. 1).

⁷

HAS ADOPTED THIS DECISION:

Article 1

The Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to make, on behalf of the Union, the notification provided for in Article 4(2) of the Agreement in order to express the consent of the Union to be bound by the Agreement.

Article 3

This Decision shall enter into force on [the date of its adoption].

Done at Brussels,

*For the Council
The President*

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management mode(s) planned

2. MANAGEMENT MEASURES

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
 - 3.2.1. Summary of estimated impact on expenditure*
 - 3.2.2. Estimated impact on operational appropriations*
 - 3.2.3. Estimated impact on appropriations of an administrative nature*
 - 3.2.4. Compatibility with the current multiannual financial framework*
 - 3.2.5. Third-party contributions*
- 3.3. Estimated impact on revenue

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a Council Decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA).

1.2. Policy area(s) concerned in the ABM/ABB structure⁸

Title 08 Research and Innovation, Horizon 2020 Framework Programme.

1.3. Nature of the proposal/initiative

- ☒ The proposal/initiative relates to **a new action**
- ☐ The proposal/initiative relates to **a new action following a pilot project/preparatory action⁹**
- ☐ The proposal/initiative relates to **the extension of an existing action**
- ☐ The proposal/initiative relates to **an action redirected towards a new action**

1.4. Objective(s)

1.4.1. *The Commission's multiannual strategic objective(s) targeted by the proposal/initiative*

The purpose of the present initiative is to allow Jordan to become a Participating State in PRIMA, whose strategic objective is to build research and innovation capacities and to develop knowledge and common innovative solutions for agro-food systems, to make them sustainable, and for integrated water provision and management in the Mediterranean area, to make those systems and that provision and management more climate resilient, efficient, cost-effective and environmentally and socially sustainable, and to contribute to solving water scarcity, food security, nutrition, health, well-being and migration problems upstream .

1.4.2. *Specific objective(s) and ABM/ABB activity(ies) concerned*

In view of achieving its objectives, PRIMA will be jointly undertaken by a number of Member States and third countries under the same terms and conditions. In order to ensure that Jordan participates in PRIMA on an equal footing with Member States and third countries associated to Horizon 2020, an International Agreement with the Union is required to extend the scope of the legal regime established by Decision (EU) 2017/1324 to Jordan.

⁸ ABM: activity-based management; ABB: activity-based budgeting.

⁹ As referred to in Article 54(2)(a) or (b) of the Financial Regulation.

1.4.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The present initiative will allow Jordan to become a Participating State in PRIMA, and thus engaged on an equal footing with Member States and third countries associated to Horizon 2020. In accordance with the provisions of Decision (EU) 2017/1324, Jordanian legal entities would be automatically eligible to apply for EU funding in projects funded from the EU budget.

1.4.4. Indicators of results and impact

Specify the indicators for monitoring implementation of the proposal/initiative.

The purpose of the present initiative is to allow the participation of Jordan in PRIMA. The indicators of results and impact of the present initiative are thus strictly linked with those for the PRIMA initiative as a whole, as specified in the corresponding Commission proposal.¹⁰

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term

Please refer to the Commission proposal for an Article185 TFEU PRIMA initiative mentioned above and to the PRIMA Impact Assessment Report, accompanying this Commission proposal.¹¹

1.5.2. Added value of EU involvement

Please refer to the Commission proposal for an Article185 TFEU PRIMA initiative mentioned above.

1.5.3. Lessons learned from similar experiences in the past

There are no precedents for this initiative, since PRIMA is the first initiative of its kind to count with participation of third countries not associated to EU Research Framework Programme on an equal footing with Member States and thus requiring the conclusion of international agreements with the Union for their participation.

1.5.4. Compatibility and possible synergy with other appropriate instruments

Please refer to the Commission proposal for an Article185 TFEU PRIMA initiative mentioned above.

¹⁰ COM(2016) 662 final, 18.10.2016

¹¹ SWD(2016)332 final, 18.10.2016

1.6. Duration and financial impact

☒ Proposal/initiative of **limited duration**

- ☒ Proposal/initiative in effect from the entry into force of the Agreement and for as long as Decision (EU) 2017/1324 is in force (31/12/2028).
- ☒ Financial impact from the entry into force of the Agreement until 31.12.2020 (during this period an arrangement implementing the Agreement is to be set up. After this period, no further activities are envisaged under the Agreement).

☐ Proposal/initiative of **unlimited duration**

- Implementation with a start-up period from YYYY to YYYY,
- followed by full-scale operation.

1.7. Management mode(s) planned¹²

☐ **Direct management** by the Commission

- ☐ by its departments, including by its staff in the Union delegations;
- ☐ by the executive agencies

☐ **Shared management** with the Member States

☒ **Indirect management** by entrusting budget implementation tasks to:

- ☐ third countries or the bodies they have designated;
- ☐ international organisations and their agencies (to be specified);
- ☐ the EIB and the European Investment Fund;
- ☐ bodies referred to in Articles 208 and 209 of the Financial Regulation;
- ☐ public law bodies;
- ☒ bodies governed by private law with a public service mission to the extent that they provide adequate financial guarantees;
- ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that provide adequate financial guarantees;
- ☐ persons entrusted with the implementation of specific actions in the CFSP pursuant to Title V of the TEU, and identified in the relevant basic act.
- *If more than one management mode is indicated, please provide details in the 'Comments' section.*

Comments

A new legal entity will be established - dedicated exclusively to the PRIMA implementation. The EU financial contribution to PRIMA will be provided through this structure.

¹²

Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

Specify frequency and conditions.

Please refer to the Commission proposal for an Article 185 TFEU PRIMA initiative mentioned in the previous sections.

2.2. Management and control system

2.2.1. Risk(s) identified

Please refer to the Commission proposal for an Article 185 TFEU PRIMA initiative mentioned in the previous sections.

2.2.2. Information concerning the internal control system set up

Please refer to the Commission proposal for an Article 185 TFEU PRIMA initiative mentioned in the previous sections.

2.2.3. Estimate of the costs and benefits of the controls and assessment of the expected level of risk of error

Please refer to the Commission proposal for an Article 185 TFEU PRIMA initiative mentioned in the previous sections.

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures.

In order to ensure the protection of Union financial interests, particularly the powers of the Commission, the European Anti-Fraud Office, the Court of Auditors and the PRIMA Implementation Structure (PRIMA-IS) to carry out audits and investigations in accordance with the applicable Union legislation, the Agreement to be concluded between the EU and Jordan makes specific reference to the relevant provisions of Decision (EU) 2017/1324 and obliges the Parties to provide all necessary assistance to ensure their implementation. In addition, the future Agreement stipulates that the Parties must agree on detailed arrangements for assistance, such arrangements being essential to their cooperation under this Agreement.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Heading 1a - Competitiveness for growth and jobs	Diff./Non-diff. ¹³	from EFTA countries ¹⁴	from candidate countries ¹⁵	from third countries	within the meaning of Article 21(2)(b) of the Financial Regulation
1a	08.01.05	Non-diff.	YES	YES	NO	NO

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number [Heading..... ...]	Diff./Non-diff.	from EFTA countries	from candidate countries	from third countries	within the meaning of Article 21(2)(b) of the Financial Regulation
	[XX.YY.YY.YY]		YES/NO	YES/NO	YES/NO	YES/NO

¹³ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

¹⁴ EFTA: European Free Trade Association.

¹⁵ Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

3.2. Estimated impact on expenditure

[This section should be filled in using the [spreadsheet on budget data of an administrative nature](#) (second document in annex to this financial statement) and uploaded to CISNET for interservice consultation purposes.]

3.2.1. Summary of estimated impact on expenditure

EUR

Heading of multiannual financial framework	1a	'Competitiveness for growth and jobs'
---	----	---------------------------------------

DG: <RTD>			Year 2018 ¹⁶	Year 2019	Year 2020	Year 2021-2029	TOTAL
• Operational appropriations							
Number of budget line	Commitments	(1)					
	Payments	(2)					
Number of budget line	Commitments	(1a)					
	Payments	(2a)					
Appropriations of an administrative nature financed from the envelope of specific programmes ¹⁷							
Number of budget line: 08.010501		(3)	23000	23000	23000		69000
TOTAL appropriations for DG RTD	Commitments	=1+1a +3	23000	23000	23000		69000
	Payments	=2+2a +3	23000	23000	23000		69000

¹⁶ Year 2018 is the year in which implementation of the proposal/initiative starts.

¹⁷ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

• TOTAL operational appropriations	Commitments	(4)					
	Payments	(5)					
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	23000	23000	23000		69000
TOTAL appropriations under HEADING <1a> of the multiannual financial framework	Commitments	=4+ 6	23000	23000	23000		69000
	Payments	=5+ 6	23000	23000	23000		69000

If more than one heading is affected by the proposal / initiative:

• TOTAL operational appropriations	Commitments	(4)							
	Payments	(5)							
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)							
TOTAL appropriations under HEADINGS 1 to 4 of the multiannual financial framework (Reference amount)	Commitments	=4+ 6							
	Payments	=5+ 6							

Heading of multiannual financial framework	5	‘Administrative expenditure’
---	----------	------------------------------

EUR

		Year 2018 ¹⁸	Year 2019	Year 2020	Year 2021-2029	TOTAL
DG: <RTD.>						
• Human resources						
• Other administrative expenditure		4600	4600	4600		13800
TOTAL DG <RTD.>	Appropriations	4600	4600	4600		13800

TOTAL appropriations under HEADING 5 of the multiannual financial framework	(Total commitments = Total payments)	4600	4600	4600		13800
--	--------------------------------------	-------------	-------------	-------------	--	--------------

EUR

		Year 2018 ¹⁹	Year 2019	Year 2020	Year 2021-2029	TOTAL
TOTAL appropriations under HEADINGS 1 to 5 of the multiannual financial framework	Commitments	27600	27600	27600		82800
	Payments	27600	27600	27600		82800

¹⁸ Year 2018 is the year in which implementation of the proposal/initiative starts

¹⁹ Year 2018 is the year in which implementation of the proposal/initiative starts.

3.2.2. Estimated impact on operational appropriations

- ☒ The proposal/initiative does not require the use of operational appropriations
- ☐ The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR

Indicate objectives and outputs ↓			Year N		Year N+1		Year N+2		Year N+3		Enter as many years as necessary to show the duration of the impact (see point 1.6)						TOTAL	
	OUTPUTS																	
	Type ²⁰	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1 ²¹ ...																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE No 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTAL COST																		

²⁰ Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

²¹ As described in point 1.4.2. 'Specific objective(s)...'

3.2.3. Estimated impact on appropriations of an administrative nature

3.2.3.1. Summary

- ☐ The proposal/initiative does not require the use of appropriations of an administrative nature
- ☒ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

EUR

	Year 2018 ²²	Year 2019	Year 2020	Year 2021-2029	TOTAL
--	----------------------------	--------------	--------------	-------------------	-------

HEADING 5 of the multiannual financial framework					
Human resources					
Other administrative expenditure	4600	4600	4600		13800
Subtotal HEADING 5 of the multiannual financial framework	4600	4600	4600		13800

Outside HEADING 5²³ of the multiannual financial framework					
Human resources	23000	23000	23000		69000
Other expenditure of an administrative nature					
Subtotal outside HEADING 5 of the multiannual financial framework	23000	23000	23000		69000

TOTAL	27600	27600	27600		82800
--------------	--------------	--------------	--------------	--	--------------

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

²² Year 2018 is the year in which implementation of the proposal/initiative starts.

²³ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

3.2.3.2. Estimated requirements of human resources

- ☐ The proposal/initiative does not require the use of human resources.
- ☒ The proposal/initiative requires the use of human resources, as explained below:

Estimate to be expressed in full time equivalent units

	Year 2018	Year 2019	Year 2020	Year 2021-2029
• Establishment plan posts (officials and temporary staff)				
XX 01 01 01 (Headquarters and Commission's Representation Offices)				
XX 01 01 02 (Delegations)				
08 01 05 01 (Indirect research)	0.2	0.2	0.2	
10 01 05 01 (Direct research)				
• External staff (in Full Time Equivalent unit: FTE)²⁴				
XX 01 02 01 (AC, END, INT from the 'global envelope')				
XX 01 02 02 (AC, AL, END, INT and JED in the delegations)				
XX 01 04 yy²⁵	- at Headquarters			
	- in Delegations			
XX 01 05 02 (AC, END, INT - Indirect research)				
10 01 05 02 (AC, END, INT - Direct research)				
Other budget lines (specify)				
TOTAL	0.2	0.2	0.2	

XX is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of tasks to be carried out:

Officials and temporary staff	Preparation and conclusion of administrative arrangement with Jordanian authorities for assistance regarding protection of EU financial interests, as provided for Article 2 of the Agreement.
External staff	

²⁴ AC= Contract Staff; AL = Local Staff; END= Seconded National Expert; INT = agency staff; JED= Junior Experts in Delegations.

²⁵ Sub-ceiling for external staff covered by operational appropriations (former 'BA' lines).

3.2.4. *Compatibility with the current multiannual financial framework*

- ☒ The proposal/initiative is compatible the current multiannual financial framework.
- ☐ The proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework.

Explain what reprogramming is required, specifying the budget lines concerned and the corresponding amounts.

- ☐ The proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework.

Explain what is required, specifying the headings and budget lines concerned and the corresponding amounts.

3.2.5. *Third-party contributions*

- ☒ The proposal/initiative does not provide for co-financing by third parties.
- The proposal/initiative provides for the co-financing estimated below:

Appropriations in EUR

	Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)			Total
Specify the co-financing body								
TOTAL appropriations co-financed								

3.3. Estimated impact on revenue

- ☒ The proposal/initiative has no financial impact on revenue.
- ☐ The proposal/initiative has the following financial impact:
 - ☐ on own resources
 - ☐ on miscellaneous revenue

EUR

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ²⁶						
		Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
Article								

For miscellaneous ‘assigned’ revenue, specify the budget expenditure line(s) affected.

--

Specify the method for calculating the impact on revenue.

²⁶

As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25 % for collection costs.