

Bern, 10 April 2025

Explanatory notes on EU Programmes Agreement (EUPA)

Summary

The EU Programmes Agreement (EUPA) forms the legal basis for Switzerland's participation in EU programmes. It currently covers participation in Horizon Europe, the Euratom programme, the ITER research infrastructure and the Digital Europe Programme (referred to collectively as the Horizon package 2021–2027), as well as Erasmus+ and EU4Health. The EUPA also paves the way for potential future participation in other EU programmes, for example relating to culture or the space sector. With each new programme generation, Switzerland is free to decide which of the programmes open to third countries it wishes to join.

The EUPA may already be provisionally applied once it has been signed. However, it must be signed before 15 November in order to enable Swiss association to the Horizon package 2021-2027 to be applied retroactively from 1 January 2025 (exception ITER: from 1 January 2026). Association to Erasmus+ is planned for 2027. Nevertheless, the EUPA will only come into effect following ratification of the overall Switzerland-EU package. Swiss participation in the EU4Health programme will be possible as soon as the bilateral health agreement comes into effect as part of the overall Switzerland-EU package.

Following the successful conclusion of negotiations on the Switzerland-EU package, researchers and innovators in Switzerland have had access to nearly all calls for proposals for Horizon Europe, the Euratom programme and the Digital Europe Programme since 1 January 2025 under the transitional arrangement. However, in order for their share of the project costs to be covered by the European Commission following successful evaluation, a retroactive association as of 1 January 2025 is necessary

To ensure this, signature of the EUPA is planned for November 2025. In other words, Swiss association will occur prior to signature of the remaining components of the Switzerland-EU package. Nonetheless, the EUPA will remain part of this package (for the consultation phase, the Federal Council Dispatch and ensuing parliamentary debate).

Switzerland and the EU initialled the EUPA in Brussels on 2 April 2025. This was followed by Federal Council approval of the Agreement on 9 April 2025. Taking these steps before moving on to the rest of the package ensures that the domestic processes in Switzerland and the EU are completed in time for the Agreement to be signed in November 2025, thus ensuring that the association can take effect retroactively from 1 January 2025.



1. Importance of EU programmes for Switzerland

EU funding programmes are among the world's most prestigious programmes for education, research and innovation. Switzerland's participation in EU research and innovation pro-grammes has a long tradition and for many decades the country has played an instrumental role in strengthening Europe's position in research and innovation. Researchers and innovators in Switzerland have a strong track record in securing funding from EU programmes. Moreover, cooperation and coordination through EU education programmes has long formed the basis for Switzerland's funding policy in the area of mobility and cooperation in education. The EU programmes are strategically important for Switzerland because they reinforce relations with the EU and allow stakeholders in Switzerland to play a part in developing technologies and measures that they can then benefit from.

Signature of the EUPA ensures that this cooperation can continue on a solid basis. This will benefit Switzerland directly as a location for education and research, and indirectly as a business location.

2. Framework and guidelines of the Agreement

2.1 Negotiation mandate

Switzerland's association to the Horizon package and Erasmus+ was originally planned for the start of the current programme generation in 2021. The corresponding negotiation mandates were approved by the Federal Council on 11 December 2020 (Horizon package) and 5 March 2021 (Erasmus+). However, after negotiations on an institutional agreement (InstA) reached a deadlock in May 2021, the EU decided to discontinue association talks with Switzerland.

With the Federal Council's package approach, participation in EU programmes has been bundled into the Switzerland-EU package. The Federal Council's negotiating mandate of 8 March 2024 sets out the following objectives:

- (i) Reaching an open-ended Agreement
- (ii) Using protocols to this Agreement as a means of achieving future association to other programmes
- (iii) Staying within the budgetary limits already approved by Parliament (<u>Horizon-Package 2021–2027</u>)
- (iv) Ensuring more systematic and stable participation in EU programmes

The present draft of the EUPA fulfils the requirements of this negotiation mandate (see 2.3 and 3 below).



2.2 Structure of the Agreement

The EUPA is comprised of two parts: the main body of the Agreement contains provisions applicable to all EU programmes for which Switzerland is eligible; then there are the protocols to the Agreement, which contain specific provisions applicable to individual programmes. While the main body of the Agreement is not subject to an expiry date, the same does not hold true of the protocols. As in the past, each new programme generation requires renegotiation of the protocols. This may result in the addition of new protocols or in the non-renewal of protocols that are expired.

<u>Horizontal provisions</u>: The horizontal provisions set out the overarching aspects of Switzerland's participation in the various programmes, such as eligibility criteria, financial aspects, and rules on audits and fraud prevention. They also specify the nature of Switzerland's participation in the relevant EU bodies with regard to the management and implementation of programmes or initiatives. The Joint Committee will ensure the proper application of the EUPA (including its protocols). Among other things, the preamble reaffirms the shared intention to achieve more systematic Swiss participation in EU programmes. The agreement may be terminated by either party at any time subject to a six-month notice period.

<u>Protocols:</u> For the current programme generation (2021–2027), three protocols have been annexed to the EUPA: the first covers participation in Horizon Europe, the Euratom programme, the Digital Europe Programme and Erasmus+; the second protocol concerns ITER and the third protocol relates to the EU4Health programme. While the ITER protocol will remain in effect until the completion of the Fusion for Energy activities (currently planned for 2042), the other two protocols are set to expire at the end of 2027 and will need to be renegotiated for the next programme generation (2028–2034), as is usual practice for all associated countries.

2.3 Key provisions of the Agreement

The <u>shared intention to achieve more systematic Swiss participation</u> in EU programmes is stated in the horizontal provisions and thus permanent part of the EUPA. However, the limited period of validity of the individual protocols means that participation from one programme generation to the next cannot be automatically ensured, neither by Switzerland nor by the EU. Discussions in the Joint Committee should therefore enable a seamless transition in the future for programmes for which Switzerland is interested in association and that are open to third countries.

The Agreement provides for <u>financial terms</u> that are at least equivalent to, or even more favourable than, those applicable to third countries in the same country category. These include, for example, the correction mechanism for the mandatory contribution in the event of over- or underperformance of Swiss researchers and innovators in Horizon Europe. The contribution calculation formula applied in the past for ITER and for part of the Euratom programme has been replaced by a single formula that applies to all programmes. The financial impact of this change will be offset by negotiated rebates on Swiss contributions to ITER and the Euratom programme up to and including 2027. The plan is for Switzerland to join the Erasmus+ programme in 2027. A 30% discount was negotiated for the mandatory contribution for Erasmus+ in 2027.



The EUPA will be <u>provisionally applied</u> from the date of signature until ratification or until 31 December 2028 at the latest. This will enable swift association to the current programme generation in accordance with the negotiation mandate, which also addresses the concerns of several parliamentary initiatives.

Should the overall Switzerland-EU package not be approved by parliament or the people, the Federal Council must notify the EU of termination of provisional application of the EUPA. The Federal Council will need to decide when to terminate provisional application, taking into account the situation of applicants for EU funding.

3. Funding of programme participation

In December 2020, Parliament approved the necessary funding for Switzerland's participation in the Horizon package (<u>Horizon Package 2021–2027</u>). The mandatory contributions are now allocated as part of the regular annual budgetary process.

The Federal Council will request the necessary funding for Switzerland's participation in Erasmus+ in 2027 in its dispatch on the overall Switzerland-EU package. In addition to the mandatory contribution, funds will be needed to implement Switzerland's participation in the programme at national level (i.e. funding for the operation of a national agency as well as for accompanying measures).