Council of the European Union

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RECH 171
COASI 68

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the signing and provisional application of the Agreement between the European Union, of the one part, and the Government of Japan, of the other part, on the participation of the Government of Japan in Union programmes

COUNCIL DECISION (EU) 2026/…

of …

on the signing and provisional application of the Agreement between the European Union, of the one part, and the Government of Japan, of the other part, on the participation of the Government of Japan in Union programmes

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 186 and 212 in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By letter dated 1 April 2022, the Government of Japan expressed its formal interest in becoming associated to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) established by Regulation (EU) No 2021/695 of the European Parliament and of the Council[1] ('the Horizon Europe Programme').

(2) On 15 May 2023, the Council adopted Decision (EU) 2023/1081[2], authorising the opening of negotiations with the Government of Japan for an agreement on the general principles for the participation of the Government of Japan in Union programmes and on the association of the Government of Japan to the Horizon Europe Programme.

(3) The negotiations have been completed and the Agreement between the European Union, of the one part, and the Government of Japan, of the other part, on the participation of the Government of Japan in Union programmes (the 'Agreement') was initialled on 22 December 2025.

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[1] Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p.1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).

[2] Council Decision (EU) 2023/1081 of 15 May 2023 authorising the opening of negotiations with Japan for an Agreement on the general principles for the participation of Japan in Union programmes and on the association of Japan to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) (OJ L 144, 5.6.2023, p. 58, ELI: http://data.europa.eu/eli/dec/2023/1081/oj).

(4) The objectives of the Agreement are to establish a lasting framework for cooperation between the Union and the Government of Japan and to set out the terms and conditions for the participation of the Government of Japan in the Union programmes which are opened to its participation, in accordance with the basic acts establishing Union programmes as defined in the Agreement. As such, the aim of the Agreement is to enable the Union to carry out cooperation measures with the Government of Japan pursuant to Article 212 of the Treaty on the Functioning of the European Union.

(5) Pursuant to Article 3(1) of the Agreement, the Government of Japan is allowed to participate in Union programmes and activities that are open to its participation, in accordance with the basic acts and as covered by the Protocols to the Agreement.

(6) Pursuant to Article 3(2) of the Agreement, the specific terms and conditions for the participation of the Government of Japan to the Horizon Europe Programme are laid down in the Protocol on the association of the Government of Japan to Horizon Europe – the Framework Programme for Research and Innovation (2021-2027) to the Agreement (the 'Protocol').

(7) In line with the Council's negotiating directives, the Protocol was negotiated in parallel to the Agreement and, pursuant to Article 17(9) of the Agreement, forms an integral part thereof. The Government of Japan associates to Pillar II 'Global Challenges and European Industrial Competitiveness' of the Horizon Europe Programme.

(8) Japan fulfils the criteria set out in Article 16(1), point (d), of Regulation EU 2021/695.

(9) The Agreement complies with Article 16(2) of Regulation (EU) 2021/695, which requires that the association to the Horizon Europe Programme of the third countries under Article 16(1), point (d), of that Regulation be in accordance with the conditions laid down in an agreement covering the participation of that country or territory in any Union programme, provided that that agreement ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes, lays down the conditions of participation in the Union programmes, including the calculation of financial contributions to individual programmes, and their administrative costs, does not confer on the third country any decision-making power in respect of the Union programme, and guarantees the rights of the Union to ensure sound financial management and to protect the Union's financial interests.

(10) Therefore, the Agreement should be signed.

(11) With the aim of ensuring timely cooperation between the Union and the Government of Japan in the field of research, technological development and innovation and allowing for the participation of Japanese entities in the Horizon Europe Programme with the status of entities from an associated country, the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union, of the one part, and the Government of Japan, of the other part, on the participation of the Government of Japan in Union programmes (the 'Agreement') is hereby authorised, subject to the conclusion of the Agreement[+].

Article 2

1. The Agreement shall be applied on a provisional basis, in accordance with Article 17(2) of the Agreement, and subject to the notifications provided for therein, pending its entry into force.

2. The date from which the Agreement is to be applied on a provisional basis shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at …, …

For the Council
The President

[+] The text of the Agreement is published in OJ L, …, ELI …