The Partial Association of Switzerland in Horizon 2020

Frequently Asked Questions (FAQ)

Topic: Swiss “partial association” in Horizon 2020

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From: Euresearch Head Office, SERI, SwissCore, Mission CH EU, EC

Disclaimer
This is a living document providing answers to many technical questions a potential proposer may ask. For each answer you also have the source of information. You also find some open questions, which we try to clarify as soon as possible. If your question is not listed here, please send it to info@euresearch.ch. We will take care that the question is forwarded to the right person. Please find actual news written in red.

Please do not approach persons individually with your question!
Actual status

On 22 October 2014 the federal government approved the agreement on participation on the European Research program Horizon 2020. The agreement concerns the partial Association as of 15th Sept. 2014 until 31st December 2016. Full association refers to pillar I, “Spreading excellence and widening participation”, Euratom and Iter. In these program parts Swiss participants can fully apply for funding at the European Commission. Switzerland can participate with third country status in all other programs funded by or in instruments co-financed under Horizon 2020. Project partners from Switzerland receive funding in accordance with the interim measures adopted by the Federal Council in June 2014. For the time 2017-2020 the agreement foresees a full association of Switzerland, provided a solution can be found to the issue of the free movement of persons.

More Information:

Modalities for direct funding for retained EU projects:
www.h2020.ch

This gathered Information covers mainly the following topics
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MaT/27 March 2015
The partial association of Switzerland


The partial association refers to pillar I including:

- ERC
- MSCA
- FET
- Research infrastructure
- Euratom
- and
- Spreading Excellence.

For almost all other programs (pillar two: Industrial Leadership and pillar three: Societal Challenges) Switzerland counts as a third country. This means the Swiss R&D&I community: public and private sector can participate as partner or coordinator but will not get funding by the EU. They will get funding by the Swiss government. Terms on modalities are published on: www.h2020.ch

There are two exceptions:

- SME instrument: no funding*
- Access to risk finance: no access

*Switzerland can participate as third parties in a subcontracting relationship.
## I. Questions on third country status

### 1. Eligibility criteria

1.1 **Will applications with a Swiss coordinator be eligible?**
   
   EC: There is no legal requirement for the coordinator to be a legal entity established in a Member State or an Associated Country. Applications with a Swiss coordinator will be eligible if they fulfil eligibility conditions specified in the Work Programme.

1.2 **Can a Swiss entity be the coordinator of a RIA/IA even without getting EC contribution for its costs?**
   
   EC: A Swiss entity can be a coordinator of such an action.

1.3 **Can participants from Switzerland coordinate Coordination and Support Actions (CSA)?**
   
   EC: A Swiss entity can be a coordinator of such an action provided that Horizon 2020 Rules for Participation and conditions specified in the Work Programme are fulfilled and without being automatically eligible EU funding for costs incurred.

1.4 **If the coordinator of the project is from Switzerland, are coordination costs eligible?**
   
   EC: As a general rule the coordination costs of a coordinator established in Switzerland are not automatically eligible for funding.

1.5 **Are Swiss coordinators eligible to receive EC-funding for the whole consortium?**
   
   SwissCore: partners from Switzerland are eligible as coordinator. The partner from Switzerland will however only be funded if its participation is deemed essential for carrying out the action.

### 2. Consortium building and proposal preparation (check also session “5. National funding”)

2.1 **If a beneficiary from a third country is not eligible for funding by Horizon 2020, it will be funded via national contributions. How will money flows be coordinated?**
   
   EC: Costs of beneficiaries not receiving EU funding will be indicated in Annex 2 of the Grant, but will not be included in the total eligible costs and will not count for the maximum amount of the grant (see Article 9). The rights and obligations set out in the Grant Agreement will normally apply to these beneficiaries, but the Grant Agreement lists a number of provisions that don’t. These beneficiaries will, for instance, not be subject to financial checks, reviews and audits. They do not have to submit individual financial statement. In the Horizon 2020 framework, nothing prevent a beneficiary not receiving EU funding to be funded by another source (i.e. national funding). Swiss participants get advice on [www.h2020.ch](http://www.h2020.ch).

2.2 **Is it possible for a Swiss entity to coordinate a project under Horizon 2020?**
   
   EC: Yes, Swiss entities may become project coordinators under Horizon 2020, since the place of establishment is irrelevant for a consortium’s choice of a coordinator.
However, the Swiss partner would not be automatically eligible for EU funding. They will receive funding by the Swiss government according to the interim measures (see page 1).

2.3 Can an international European interest organization, defined as International Organization, based in Switzerland get funding from Switzerland?
If the research is carried out in Switzerland, it will be funded by the Swiss government. If the Swiss entity carries out work by its own employees in another country and bills these costs in the Swiss entity, these costs are also eligible.

Source: SERI and Euresearch

The majority of “International Organizations” are Member States or Associated Countries with the principal objective to promote scientific and technological cooperation in Europe” (i.e. CERN)’.

2.4 Are cantonal / federal offices eligible for funding by the Swiss government?
- Cantonal offices are eligible for funding.
- Federal offices are not eligible for direct funding by SERI. However there may be funding opportunities from within the federal office. Please contact the person responsible for research at your office.

2.5 How do we advise on budget preparation and form filling? Shall we follow EU rules and then add a "zero" in the field "Request to Commission funding? And how do we describe costs for third countries in proposals?
SwissCore: Swiss partners declare their budget in the proposal forms (Column H: total estimated eligible costs/€). They only claim a budget (column K Requested grant / €) in case they justify ‘essential for carrying out the action’ in part B.

2.6 In the Ethics issue table, question 6 refers to the “involvement of non-EU countries”: is there a difference the information to be filled in depending on the status of Switzerland, i.e. whether it is an associated state or a third country?
Euresearch: Switzerland as a third country will have to indicate that it meets similar ethical standards as those set by the EC (this is assumed for associated countries). A statement to this effect and an explanation of how Swiss law, standards meet the same standard as e.g. Directive 95/46/EC should be fine. In relation to movement of material and or data outside the EU, this can be dealt with through material transfer agreements, where the responsibilities of the party to whom the material is being sent are clearly set out (and meet the same standards as EU). In practical terms, it will require some more work from researchers to clearly set this out but in principle we do not think there will be a problem since Swiss researchers can meet their obligations.

3. Evaluation of proposals and rules imposed by the EC

3.1 Will evaluators be briefed to consider Switzerland as a third or associated country? (Important for the impact section, when Swiss based companies would use the results).
SwissCore: Switzerland will be considered as an industrialised third country.
3.2 Will projects with a partner from Switzerland be treated differently than other projects during evaluation?
EC: Projects with Swiss partners that respect the eligibility criteria will be evaluated like any other project according to the call’s respective evaluation criteria. There will be absolutely no discrimination of proposals including Swiss teams.

3.3 With regards to Switzerland participating as a third country: Will there be some flexibility in the evaluation process (e.g. if there are obvious mistakes like consortia having included CH partners in their budgets or if changes in the coordination are necessary)?
EC: As with all entities from third countries, EU funding will only be granted on an exceptional basis. If a Swiss entity has requested EU funds this is deducted by the Commission/Agency.

3.4 Could joint calls on specific topics be foreseen in future WP?
EC: Yes, joint calls with Switzerland will remain possible whether or not Switzerland is an associated country. Topics for such calls could be identified jointly by the Switzerland/ (European) Communities Research Committee established under the 1986 Agreement for scientific and technical cooperation between the European Communities and the Swiss Confederation.

3.5 Will participation and funding of Swiss entities in FP7 projects be affected?
EC: No, the participation and funding of Swiss entities in FP7 projects is not affected.

3.6 Are representatives of Switzerland excluded from the comitology and even from being ‘experts’ and members of Advisory Groups?
SwissCore: The general rule is that representatives of Switzerland are excluded if it concerns an official representation in the formal Horizon 2020 ‘comitology’, like the Programme Committees. But Swiss nationals are never excluded if it concerns ad personam mandates, like being ‘expert’ or member of an Advisory Board.

4. Grant preparation

4.1 Signature of Grant Agreement (“art 57.2” AGA)
Your coordinator is asked if Swiss law foresees that you “CANNOT be subject to jurisdiction of the European Court of Justice”. The answer is NO. See screenshot below.
4.2 Will SERI require a Certificate on Financial Statements (CFS) of their own? (If so, participants need to include CFS costs in their budgets.)

SERI recommends including the CFS costs in the budget, because in the past, they used to request a Certificate on Financial Statements above a certain threshold. Additionally, the EC requests a CFS for grants above EUR 325,000 at the time of claiming the payment of the balance of the grant. This way, the participant is on the safe side also in the case the project will be financed by Horizon 2020.

5. National funding by SERI: modalities and potential restrictions

5.1 Will the SERI also fund CSA proposals?

**SwissCore:** The point with CSA is, that the bi-annual work programmes may contain restrictions concerning the participation from a partner from a third country. So the most important advice at this stage is to carefully read the relevant work programme. If not, legal entities from third countries can participate provided the minimum number of participants is met in the consortia without the Swiss partner.

**SERI:** We will most likely also fund the Swiss contribution in CSA. The modalities and handling will be communicated.

5.2 Are there any caps in salaries for the Swiss partners when requesting funding by the SERI?

For companies, the salaries of CTI are applicable up to “Tarif B”, whereby only one person can claim the top categories for each of the positions: coordination and deputy coordination. SERI applies the same criteria for AAL and Eurostars projects by the SERI.

Please note: this regulation can only be controlled in the financial report, because in the submission does not request individual person cost categories.

**SERI**

5.3 What are the financial flows when coordinators are located in third countries?

Per principle, Swiss researchers can also coordinate projects in the 3rd country status, even though they cannot receive funding from Horizon 2020. That is, a coordinator based in a third country that is not entitled to receive EU funding will not be reimbursed for any costs incurred for the project, even for costs related to the specific tasks of the coordinator.

In addition, according to the Model Grant Agreement (Art. 41.2), the tasks of the coordinator can neither be delegated to another beneficiary nor be subcontracted.
Therefore a Swiss coordinator could not be reimbursed by the EC for any costs incurred for being the project coordinator. That is, if the project successfully would have passed the EC evaluation procedure (i.e. finally would have made it on the funding list), all costs of the Swiss coordinator (including the coordination costs) would be funded by the Swiss Confederation.

5.4 Is there a risk for Swiss coordinators that they will have to face a budget cut when being paid directly? Would this risk be lower for Swiss participants?

No general budget cuts are foreseen for the period until 2017 (see also 3.6)

5.5 Will there be a cap for financing Swiss participants and coordinators by the SERI?

For the private sector salary categories of CTI apply (Tarif B). For the upper categories: project management (coordination) and deputy of project management (co-coordination) only one person for each category can request these tariffs. This also applies to AAL- and Eurostars-projekts.

Please note: in submission such details are not requested, but they will be checked in the financial reporting.

5.6 There will be no audit certificates (CFS) for Swiss partners funded by SERI?

SERI: Swiss participants will be exempt from the financial checks, reviews and audits of their costs by the EU.

SwissCore: Please make sure you evoke article 9 from in the General Grant Agreement.

5.7 How will a Swiss subcontracting SME be reimbursed?

Case A: CH participant in proposal subcontracting:
A1: CH subcontractor: reimbursement foreseen by SBFI no "requested grant".
A2: Non CH subcontractor (EU, AC or other): only if Swiss participant can proof that the expertise cannot be found in Switzerland funding for subcontracting (performed according to partner's business practice) can be requested.

Case B: Participant is EU-Member or Associated Country
B1: CH subcontractor: reimbursement not by SBFI: included in "requested grant"
B2: Non CH subcontractor (EU, AC or other): reimbursement not by SBFI: included in "requested grant"

1. **ERC**

1.1. **Are H2020 ERC grants portable from an EU member state or associated country to Switzerland, that is, can the Host Institution be changed after the Grant Agreement is signed?**

SwissCore/ERCEA: Portability of grants to Switzerland for Horizon 2020 ERC calls with a deadline before 15 September 2014 (ERC-2014-StG and ERC-2014-CoG) is not possible. The eligibility condition for portability do not change throughout the Grant Agreement, i.e. if a grant could not be moved to a Swiss host institution at the time of the signature of the Grant Agreement, this will not be possible throughout the duration of the grant.

Portability of grants of calls to which Swiss host institutions are eligible (i.e. those with a deadline after 15 September 2014 and at least until the end of 2016) from an EU member state or associated country to Switzerland is possible.

1.2. **Are applicants with a “B” or “C” grade from the SNF Temporary Backup Schemes eligible to apply to the next round of ERC calls, now that Switzerland is associated?**

SNSF: The SNSF is not allowed to share the evaluation results with the ERC without the consent of each applicant.

2. **MSCA**

Switzerland is fully associated to this program as of 15.9.2014 to 31.12.2016

3. **Research infrastructures**

3.1. **Are Swiss partners still eligible for funding within consortia?**

Switzerland is fully associated to this program as of 15.9.2014 to 31.12.2016

4. **Future Emerging Technologies (FET)**

Switzerland is fully associated to this program as of 15.9.2014 to 31.12.2016.
III. Specific questions on pillar II Industrial Leadership
(3rd country status 2015/2016)

1. Space

1.1. Are Swiss institutions eligible for ESA Calls?
SERI: when it concerns ESA calls only, the answer is clear: Switzerland is a founding member of ESA and Swiss institutions or companies are fully entitled to participate in the calls.
If it concerns a participation to the space activities under Horizon 2020, Swiss institutions and companies can participate with the status of industrialised third country. It must be however pointed out that under FP7 the EC and member states (and event associated states) could exclude the participation of third countries thought the 'Security-Procedure' clause (e.g. access to critical technologies). Whether this possibility is taken over by instruments in Horizon 2020 must be clarified.

Euresearch: Yes, such exclusion through a "security-procedure" is possible:
Based on RfP, Article 7
Additionally the EU Financial Regulation provides that "where the Multilateral Agreement on Government Procurement (GPA) concluded within the World Trade Organisation applies, the contracts shall also be open to nationals of the States which have ratified this agreement, under the conditions laid down in that agreement." One of the conditions laid down in GPA is the so-called "security exception" (Art. XXIII of the Agreement) which allows parties to the GPA to exclude procurement which presents security-sensitive aspects and thus, restrict tendering within the EU in case they consider a given procurement as being necessary for their essential security interests.

2. Contractual PPPs and ERA Nets

2.1. Is a partner from a third country eligible in contractual PPP? Would Switzerland still be able to participate in these? Or would we have to see on a case to case basis?
EC: The Horizon 2020 Rules for Participation also apply to contractual PPPs. A partner form a third country is eligible but will not receive funding from the Horizon 2020 but from the concerning Swiss budget.

3. SME Instrument, Fast Track to Innovation (FTI) and Prizes

3.1. Will applications by Swiss SME be evaluated (it's a continuous evaluation)?
EC: SMEs have to be based in the EU or in a country associated to Horizon 2020 to submit proposals in response to the SME Instrument's permanently open call, and be eligible for funding.
This means that at the moment, applications submitted by Swiss SMEs would not be eligible. Swiss SMEs can however be involved in the scheme as subcontractors, if the project proposed requires so.

3.2 On the 1st phase SME instrument can SMEs from Switzerland submit proposals?
EC: At the moment SMEs established in Switzerland are not eligible for participation in an SME instrument action, given it is a mono-beneficiary submission.

3.3 Is Switzerland eligible for Prizes and the SME instrument as third country?
EC: As far as the SME Instrument is concerned, the answer is no. This in line with the eligibility criteria of the WP 2014/2015, which specify that entities established in third countries (i.e. CH) are not eligible for funding under the SME instrument. However, other partners, such as research providers or larger companies, can be involved as third parties, usually in a subcontracting relationship, and do not need to be established necessarily in the EU or countries associated to Horizon 2020. As regards the Prizes, this is dependent on the eligibility conditions established for each prize. Therefore Swiss entities could be eligible for those prizes that do not exclude participation from entities from third countries.

3.4 Are there any plans to have a temporary solution for the SME Instrument?
Euresearch: No such plans are foreseen.

3.5 What are the consequences being an industrialised third country for Swiss applicants in: SME Voucher, Fast Track to Innovation (FTI), Pre-commercial Procurement and Public Procurement of innovative solutions?
SwissCore: Swiss participants cannot participate in any of these instruments. However, Swiss participants are allowed as subcontractors for the FTI, provided the rules on subcontracting are duly followed.

4. Access to risk finance

4.1 Are Swiss banks/companies eligible for these instruments?
EC: Swiss entities won't be able to participate in financial instruments under Horizon 2020 if Switzerland is not associated.

IV. Specific questions on pillar III Societal Challenges
(3rd country status 2015/2016)

1. Secure societies

1.1. To what extend would Swiss partners be excluded as third country participants from consortia for "secure societies"?
EC: Participation of Swiss entities in calls under ‘secure societies’ is subject to eligibility conditions in relevant Work Programmes
Such Work Programmes may exclude entities unable to provide satisfactory security guarantees, including as regards personnel security clearance if justified by security issues (Art.7(3) of Horizon 2020 Rules for Participation). This general rule applies to entities from all countries, whether associated or not.

V. Horizontal programs

1. Spreading Excellence and widening participation

1.1. Is a partner from a high performing region from a third country eligible for participation in in proposals from lesser performing regions?
Switzerland is fully associated to this program.

2. EIT

2.1. Can the EC confirm that the EC concludes a framework contract with the EIT Foundation and that the EIT Foundation then concludes contract with the KICs whereby the only rule concerning third country participation is that 66% of the partners must come from an EU member state or associated country?
EC: Yes. The revised EIT Regulation requires two thirds majority of participants from EU Member States in any KICs. The possibility of Swiss entities to participate in KICs is not affected in the absence of EU-Switzerland association agreement to Horizon 2020.

It should be noted, however, that participation in a KIC is not automatically coupled with funding. The rules governing general eligibility for funding of entities from non-EU Member States are those of Horizon 2020.

Moreover, please note that the EIT is a Union body, established by the EIT regulation and not via a framework contract. It is the EIT who concludes a Framework Partnership Agreement with each individual KIC and funds the KICs via annual grants. The EIT Foundation is a legally independent entity and is not responsible for running the KICs.

2.2. Is the Swiss participation/funding in ongoing KICs concerned?
EC: The possibility of Swiss entities to participate in KICs is not affected in the absence of EU-Switzerland association agreement to Horizon 2020. The current Framework partnership Agreement for the current KICs are valid to the end of the year 2014.
According to the Horizon 2020 RfP Article 10 (2) a, for the continuation of the funding by EIT, the Climate-KIC will have to request from the funding body (EIT) to agree that the CLC in Zurich is “deemed essential” to its activities. The EIT will then, together with the EC, decide on granting this status and continue funding or not. As for the new KICs, it is advised to request this status in the proposal.
3. EURATOM

3.1. Are Swiss institutions eligible for EURATOM calls?
EURATOM is fully associated to this program.

VI. Public Private Partnerships

Joint Technology initiatives (JTI Art. 187) and Public Private Partnerships (Art. 185)

1. Joint Technology initiatives (JTI Art. 187) and Public Private Partnerships (Art. 185)

1.1. Is participation of Switzerland to JTI/P2P and ERA-NETs possible? Are there restrictions?
EC: Swiss legal entities will be able – as a general rule – to participate in calls under JTIs and public/public partnerships, under the conditions provided by Horizon 2020 Rules for Participation will apply to them and subject to any applicable derogation for Article 185/187 initiatives. They will be treated as entities from a third country. Swiss partners will be eligible for participation in ERA-NETs, however, in the absence of a valid association agreement they will be treated as partners from a third country (which means that they will not be counted towards a minimum number of partners required for the project and they will not be automatically eligible for funding).

1.2. What is known about the specific JTIs (Joint Undertaking PPP according to Art. 187 of TFEU)?
EC: In the absence of EU-Switzerland association agreement to Horizon 2020, Switzerland will not be able to participate in States Representatives Group in Joint Technology Initiatives (JTIs) but it may be invited to participate in meetings as observer. Swiss legal entities will be able – as a general rule – to participate in calls for project proposals under JTIs and public/public partnerships, under the conditions of Horizon 2020 Rules for Participation of industrialized Third Countries.

1.3. Is the Swiss participation/funding in JTIs, and more specifically in IMI, concerned?
SwissCore: Yes they can participate, but the funding needs to come from SERI. As for in-kind-contribution there is a limit. Article 4 concerns the participation of entities from third countries. There it is stated that a maximum of 30% of all in-kind contributions can come from third countries. In normal projects the in-kind contribution from third countries can be limited to 5-10%. However in projects concerning “unmet medical needs” such as anti-microbial resistance and Alzheimer, there is no limit. Also cash contributions do not have a limit.

1.4. Is the same direct payment solution foreseen for Swiss participants in IMI (academic partners & SMEs, not industry) as for rest of Horizon 2020?
SERI: Yes, According to a federal decree of 7 March 2014 the Federal Council is willing to provide direct support to researchers in Switzerland who have been excluded from research cooperation due to the discontinuation of negotiations on the Horizon 2020 research programme.
1.5 Is the Swiss participation/funding in the Art. 185 P2P initiatives like AAL and Eurostars concerned?
SERI:
Eurostars: Organisations from Switzerland may take part as applicants in the 2014 calls for project proposals. The participation and eligibility criteria and general funding rules are the same as for applicants from Member-/associated States.
AAL: Organisations from Switzerland can participate in the 2014 call for proposals; the rules for participation are expected to remain the same as in earlier calls. Switzerland is full member with AAL, and can thus participate without restrictions in call by applying the same criteria. The Swiss national budget is EUR 3 Mio. (SERI).

1.6 EcSEL
Swiss entities may participate in ECSEL calls as entities from an industrialized third country not associated to Horizon 2020.
This means that Swiss participants are not automatically eligible for funding and will not count towards the minimum number of participants required for a project (eligibility criteria).
The EU co-funding rate for legal entities established in a Member State of associated country varies between 25-50% depending on the type of organization and required technology readiness level of the call. Swiss Government will compensate the EU co-funding part in these cases where Swiss participants are eligible to receive EU funding.

Background documents and links