

EUROPEAN UNION

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EUROPEAN RESEARCH AREA
COMMITTEE

– ERAC –
Secretariat

ERAC 1201/13

NOTE

From: European Research Area Committee

To: Council — Working Party on Research

Subject: Draft report from ERAC on the review of the ERAC mandate

The present [draft] report from ERAC on the review of the ERAC mandate is forwarded to the Council as the Committee's advice concerning the review of the mandate that the Council will undertake.

DRAFT REPORT FROM ERAC
ON THE REVIEW OF THE ERAC MANDATE

I. INTRODUCTION

Under Paragraph 4 of the Council resolution on developments in the governance of the European Research Area (ERAC; hereafter mostly referred to as the Committee)¹, the Council will review the mandate of the Committee by the end of 2012.

This review, which will now be carried out in 2013, will take the form of Council conclusions or a Council resolution that will be prepared by the Council's preparatory bodies (i.e. the Research Working Party and Coreper). In order to prepare the Council's review, the Committee has drafted the present report to the Council, which holds its advice on the review of the ERAC mandate.

Following discussions at a seminar on the review of the mandate that was held on 2 October 2012 and to which all ERAC delegates were invited, the Committee's Steering Board (SB) concluded that ERAC's advice on the review of the mandate should be based on (1) replies to a number of questions concerning the present mandate (see Annex I), (2) contacts that the rapporteur for the review would establish with the chairs of the other ERA-related groups², and, (3) an overview of topics dealt with at Committee meetings, ERAC opinions and other outputs³.

¹ Doc. 10255/10 of 28 May 2010.

² I.e. the European Strategy Forum on Research Infrastructures (ESFRI), the High Level Group on Joint Programming (GPC), the ERAC Working Group on Knowledge Transfer (KT), the Strategic Forum for International Science and Technology Cooperation (SFIC), and the ERA Steering Group on Human Resources and Mobility (SGHRM).

³ This overview is included as Annex II to an internal document from the ERAC Secretariat of 14 November 2012 (Doc. Secretariat/MR 14.11.2012). This document is available on demand.

The questionnaire on the mandate (see Annex II) was prepared with the following objectives in mind:

- (1) To assess the adequacy of ERAC's mandate: Does it allow the Committee to fulfil its mission?
- (2) To assess the effectiveness of the Committee in fulfilling its mandate
- (3) To consider whether there is room for improvement in either the adequacy of the mandate or the effectiveness of the Committee in fulfilling its mandate
- (4) To assess if the mandate allows the Committee to take into account new elements and developments of EU research and innovation policy and initiatives that may come up in the course of time.

ERAC Members and Observers, as well as the Commissioner for Research and Innovation, were invited to reply to the questionnaire. The ERAC Secretariat and the Commission services prepared a document for discussion at the seminar and the SB meeting that were held on 16 November 2012⁴.

The present report, which includes a summary overview of replies to the questionnaire followed by recommendations, is based on (1) the response to the questionnaire and (2) the outcome of the debate on 16 November. It has been prepared by the rapporteur / Vice-Chair of the Committee, Mr Krzysztof Gulda.

Finally, it should be emphasised that the number of changes that are suggested in the present report has been kept to a minimum. It is believed that this reflects the wishes of the vast majority of delegations who have replied to the questionnaire. The changes suggested in the report will be included at the most appropriate place, depending on the nature of the change concerned, i.e. either in the new mandate itself, in the Committee's rolling work programme or in the Rules of Procedure, that will be revised at a later stage.

⁴ Doc. Secretariat/MR 14.11.2012 of 14 November 2012.

II. SUMMARY OVERVIEW OF REPLIES TO THE QUESTIONNAIRE AND RECOMMENDATIONS TO COUNCIL

A total of 24 replies were received from delegations (on a total of 41 ERAC delegations)⁵. The rapporteur also established contact with the Chairs of other advisory groups for ERA to collect their views. Of these groups, the European Strategy Forum on Research Infrastructures (ESFRI), the ERAC Working Group on Knowledge Transfer (KT) and the Strategic Forum for International Science and Technology Cooperation (SFIC) have responded succinctly. The overview of replies below reflects the views that were most widely put forward by delegates. The different components of the overview of replies are followed by recommendations for improving ERAC's functioning. The summary overview of replies and — if applicable — the recommendations are structured along the lines of the original questions to ERAC Members and Observers and other consultees.

⁵ I.e. Austria, Belgium, the Commission services, Cyprus, Denmark, Estonia, Finland, Germany (concise provisional reply only), Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. FR took part in the seminar held on 16 November and expressed its views on most of the issues raised in the questionnaire. The Commissioner for Research and Innovation has not replied.

MAIN AREAS FOR IMPROVEMENT

Taking into account the positive feedback to the questionnaire and the constructive criticism in the summary, the rapporteur concludes that there is no need at this time to propose any major changes to ERAC's mandate, although there is an opportunity to improve certain aspects of the ERAC's activities and organisation that may call for a change either of the mandate, the Rules of Procedure or the rolling work programme of the Committee. Based on a number of proposals of change, the selected areas below are identified for improvement by implementing the recommendations listed after these areas.

A. THE FOCUS ON STRATEGIC ISSUES

Timeliness of advice

In general, delegations are positive about ERAC's main mission and the way the Committee functions. It is believed that the Committee has provided timely strategic advice to the Council, the Commission and Member States since it got its new format and mandate in May 2010. Most opinions were provided to the Commission. However, the timeliness of advice could be improved if the Commission involved the Committee at an earlier stage than is usually the case at present. In particular, documents for plenary meetings of the Committee should be sent to delegations earlier.

Recommendation 1

The Commission should involve the Committee by sending documents to the Committee at a sufficiently early stage. The ERAC Secretariat should send such documents to the Committee immediately, and also send documents it produces itself earlier.

Adequacy of the mandate to ERAC's mission and new challenges

There is a widely held view among delegations that the Committee's current mission and terms of reference are sufficiently broad and flexible to accommodate new policy developments and priorities. Rather than changing the mandate on this point, new priorities could more usefully be reflected in the Committee's 18-month work programme (which is regularly updated and thus more flexible).

Recommendation 2

It is recommended not to change the Committee's mission and terms of reference but to use the work programme for including new policy developments and priorities. — On the contents: given that there is very wide support for a stronger focus on innovation, it could be considered to reflect this in a new name for the Committee, i.e. "European Research and Innovation Committee".

Level of membership representation

Delegations generally are of the opinion that the level of representation at meetings is appropriate and that there is a good balance of expertise. *Appropriate* (i.e. expertise-related) level of representation is thought to be more important than *high-level* (i.e. hierarchy-related) representation per se. Having said this, many delegations are in favour of having one plenary meeting per year at director-general level to discuss exclusively strategic issues.

Recommendation 3

Programme one meeting per year at director-general level to discuss exclusively strategic issues.

Use of ad-hoc working groups, seminars, rapporteurs and experts

Delegations' overall assessment of the use of ad-hoc working groups, seminars, experts etc. is positive. Committee plenary meetings are seen as sometimes overloaded with agenda items that could be handled more conveniently by working groups or experts, with the Committee plenary focussing on giving strategic steering to working groups.

Recommendation 4

It is recommended to reinforce text on the use of ad-hoc working groups, seminars, rapporteurs and experts by the Committee in order to meet the wish expressed by many delegations that greater use should be made of these entities.

B. MONITORING AND ASSESSING THE IMPACT OF ERAC'S ADVICE AND OPINIONS

The Committee has released nine opinions since May 2010. These have been reflected in five Commission communications and six sets of Council conclusions. — It is not always obvious to identify ERAC's contribution to Commission communications or other documents or to Council conclusions, both of which often reflect the collective input by many parties; the impact may be there but it is not always directly visible or easy to trace if it is not mentioned explicitly. However, ERAC's opinions are often taken as documents of reference or they have contributed to long-term reflection. Having said this, many delegations correctly observe there has been little or no (systematic) monitoring of the impact of the Committee's opinions since the new mandate came into effect in May 2010. It is thought that such a monitoring mechanism should be set up, not for its own sake but as a means to assess the impact of opinions ("impact assessments" are advisable for any advisory body) and, if it is found that the impact is insufficient, to look into the cause of this and suggest ways for increasing the impact.

Delegations generally hold the view that the Committee has contributed effectively (if not always visibly or in a clearly traceable manner) to promoting the coordination of national research and (to a lesser extent) innovation policies, in particular through mutual learning seminars and peer reviews. These are generally believed to have been useful for national coordination purposes.

Recommendation 5

The Committee's Steering Board should carry out continued monitoring of the impact of ERAC opinions. SB should put an annual monitoring report to the Committee for discussion.

C. INTERACTION WITH OTHER ERA-RELATED GROUPS AND WITH OTHER POLICY AREAS

According to the present mandate, ERAC "shall keep overview of the other ERA related groups, which it should cooperate with and consult, as necessary to attain its objectives". In developing the ERAC draft opinion on the ERA framework⁶, the ERAC opinion took into account the input from the 4 ERA related groups and ESFRI. However, many delegations consider that ERAC in general has not been proactive in developing strategic interactions and coherence with the other ERA related groups and other relevant policy areas and there needs to be improved coordination and dialogue between the ERA groups to avoid duplication of efforts. Additionally, possible interactions with Helsinki Group on women in science⁷ were also mentioned.

⁶ ERAC Opinion on the development of the ERAC Framework (doc. ERAC 1215/11 of 9 December 2011).

⁷ The Helsinki Group has been renamed the Helsinki Group on Gender in Research and Innovation.

In the context of the effective implementation of the ERA actions and monitoring progress, ERAC needs to initiate more often and better structured interaction with the other ERA- related groups based on the utilisation of expert knowledge and invitation to the Chairs of other ERA-related groups to address Committee meetings with specific contributions. This requires also a good synchronisation of the work programmes of the other ERA-related groups with the work programme of ERAC.

In particular, ERAC, with the relevant interactions with and inputs from the other ERA-related groups, should provide strategic advice on implementation of ERA and monitoring the progress of the realisation of ERA. This offers an opportunity now to promote a more coherent and structured approach between these different structures, particularly in monitoring the progress in this area, as highlighted already by the Council on 11 December⁸ 2012, where coherence and timeliness of advice to the Council and Commission should be the guiding principles for organising ERA advisory work.

Recommendation 6

- a. The Committee recommends to the Steering Board to draw up an action plan based on the ERA Communication⁹ including themes that the Committee expects the ERA-related groups to contribute to on the basis of their specific expertise. This action plan should support the development of strategic interaction between ERAC and the other ERA-related groups.**

⁸ Council conclusions: A Reinforced European Research Area Partnership for Excellence and Growth (doc. 17649/12 of 12 December 2012), Paragraph 28: "INVITES Member States via ERAC, while consolidating input by other ERA-related groups, to contribute to the monitoring of ERA progress based on exchange of best practices and mutual learning from national actions and reforms made to achieve the ERA".

⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region - A Reinforced European Research Area Partnership for Excellence and Growth (doc. 12848/12 of 23 July 2012).

- b. There is a wide recognition that there is now an opportunity with the implementation of the ERA priorities to promote a more horizontal and inter-policy approach to develop the synergies and linkages with other policy areas with most focus on innovation and education (Knowledge Triangle) and regional and cohesion policy, in particular smart specialisation. This recognition should be reflected in the work programme and topics of mutual learning seminars and in the ministerial conferences.**

- c. From a broader perspective, the Committee recommends to the Council to examine how the advisory work on the various dimensions of the European Research Area, which are at present taken care of by the other ERA-related groups, can be organised most efficiently and most effectively from the user perspective (the users being the Council, the Member States and the Commission).**

AREAS FOR IMPROVEMENT RELATING TO THE OPERATION AND THE WORKING METHODS OF THE COMMITTEE

The Committee also recommends that it introduces improvements to its working methods, by adapting as appropriate its Rules of Procedure for the following issues.

Arrangements for the participation of Associated Countries¹⁰

Although only a limited number of replies have come in from countries who are associated to the current Framework Programme and who take part in ERAC meetings as observers, they are generally satisfied with present arrangements for their participation in the work of the Committee. Some associated countries however advocate a closer involvement at all levels of the Committee.

Recommendation 7

It is recommended to extend the possibility of representatives from associated countries to sit on working groups and to be appointed as chairpersons or rapporteurs of working groups or as experts.

Number, duration and venue of meetings¹¹

The number, duration and venue arrangements for Committee meetings are generally thought to be appropriate. There should be neither an increase nor a decrease in the number of meetings. Seminars, workshops etc. should preferably be aligned to plenary meetings ("back-to-back" organisation) for efficiency's sake.

¹⁰ Cf. also Article 10 of the Rules of Procedure.

¹¹ Cf. also Article 6 of the Rules of Procedure.

ERAC's public website (on the Council Extranet)

ERAC's website is thought to be useful but open to improvement in terms of greater user-friendliness, more frequent updating etc. It could also be set up differently so that it can be used as a platform for exchanging views among delegations. Other EU research and innovation sites should refer to the ERAC website.

Recommendation 8

The ERAC Secretariat will come up with proposals to the Steering Board to implement the suggested improvements.

Chairmanship, Vice-Chairmanship, Secretariat, Steering Board¹²

The organisational arrangements (i.e. chairmanship, vice-chairmanship, Steering Board and Secretariat) of the Committee are believed to allow the Committee to fulfil its mandate effectively and appropriately. The establishment, the composition and the functioning of the Steering Board have resulted in a shared responsibility between the Commission and Member States for setting ERAC's priorities and focus.

Recommendation 9

It is suggested that the Steering Board no longer meets in extended configurations ("SB+"). However, the Steering Board is obviously free to invite chairpersons, rapporteurs or experts to its meetings for discussion or reporting purposes.

¹² Cf. also Articles 2, 3, 4 and 5 of the Rules of Procedure.

OTHER ISSUES WITH REGARD TO THE GENERAL FUNCTIONING OF THE COMMITTEE

Several delegates have observed that, rather than being a political compromise voice of its multiple delegations with their varying national interests, the Committee should take a truly European perspective and aim at a collective mind-set of its Members and Observers towards establishing the European Research Area. The Committee's advisory work should reflect this attitude.

Recommendation 10

It is suggested to include this goal, albeit in different wording, in an introductory paragraph in the new Council resolution.

A number of delegations have voiced concern over the Committee taking on additional tasks following the review of its mandate or any extension of the work as laid down its work programme if these ambitions are not matched by greater commitment from delegates and additional human resources, i.e., delegates should not only attend ERAC meetings but also offer to volunteer to sit on ad-hoc working groups as members, chairpersons or rapporteurs or to act as experts if the Committee is called upon to give advice.

Recommendation 11

ERAC should ensure it mobilises the necessary resources to support ERAC's main mission, both at the level of the Committee and at the level of the Secretariat and the Commission services.

Annexes (2):

- I Mandate of the European Research Area Committee (ERAC)

- II Questions to Members and Observers of ERAC on the mandate of the European Research Area Committee

MANDATE OF THE EUROPEAN RESEARCH AREA COMMITTEE (ERAC)¹³

1. CREST changes its name to European Research Area Committee – ERAC (hereinafter referred to as “the Committee”) to better reflect its renewed role as a strategic policy advisory committee in the framework of the governance of the European Research Area.
2. The Committee’s main mission is to provide timely strategic input to the Council, the Commission and the Member States on any research and innovation issue relevant to the development of the ERA, on its own initiative or on the request of the Council or the Commission;
3. With respect to its strategic policy advice mission, the Committee shall, in particular:
 - a. at an early stage, provide advice on the identification and design of strategic priorities for policy initiatives on research and innovation relevant to the development of the ERA, including the EU Framework Programmes and other relevant EU, national and intergovernmental initiatives;
 - b. provide advice on broad orientations for possible future policies and interaction between existing policies, at international, European and national levels, to contribute to the development of the ERA;

¹³ Included in an Annex to the Council Resolution on the developments in the governance of the European Research Area (ERA) (doc. 10255/10 of 28 May 2010).

- c. monitor the progress of ERA, while having regard to the principles of subsidiarity and complementarity, with special attention to the efficiency, accessibility, transparency and coherence of its different instruments and initiatives, including those defined in EU Framework Programmes, based notably on the criterion of European added value;
 - d. identify needs for independent, quantitative and qualitative, assessment and evaluation of ERA related policies and use the results of relevant assessments and evaluations to make recommendations for a faster and better progress of the ERA;
 - e. contribute to promoting the coordination of national research and innovation policies, where relevant, and to ensuring that national policies and Union policy are mutually consistent;
 - f. contribute to preparing any ERA Ministerial conferences, convened and organised under the auspices of the Member States holding the Presidency of the Council of the European Union;
4. In addition to its main mission, the Committee shall also stimulate the voluntary evaluation of national policy mix and promote mutual learning exercises relevant to the ERA. For these activities it may arrange for the set-up of voluntary ad-hoc temporary groups which shall carry out their work under the guidance of the Committee.
5. The Committee shall develop strategic interactions and coherence with other policy areas, in particular those related to the knowledge triangle; the Committee shall also strive to develop interactions and synergies with other relevant policy areas when appropriate.

Membership and observers

6. The Committee shall consist of two high level representatives responsible for research and innovation policies from each Member State, and the Commission (the "Members").
7. The Committee may invite representatives of the countries associated to the Framework Programme to participate in its meetings as observers for relevant agenda items. It may also invite other observers, including Members of the European Parliament when relevant items so require.
8. The Committee shall meet regularly, at least four times a year.

Organisation

9. The Committee shall be chaired by the Commission.
10. A Vice-Chair shall be elected among the Member States' representatives of the Committee by majority of its component members for a period of two years, renewable for another two year term.
11. The Secretariat of the Committee shall be provided by the General Secretariat of the Council.
12. The Committee shall have a Steering Board. It shall consist of the Chair and Vice-Chair of the Committee, assisted by the Commission services and the General Secretariat of the Council, a representative from each of the previous, present and next Member State holding the Presidency of the Council of the EU, as well as up to two Members elected among Member States' representatives by majority of the Committee's component members for a period of 18 months.

13. The Vice-Chair of the Committee shall act as the Chair of the Steering Board. The Steering Board shall prepare the provisional annual Work Programme and draft agendas of the Committee meetings, according to the rules of procedure. After the agreement between the Chair and the Vice-Chair of the Committee, these shall be submitted to the Committee for adoption.
14. The Steering Board shall rely upon the support of the Commission Services.
15. The Committee shall keep overview of other ERA related groups, which it shall cooperate with and consult, as necessary to attain its objectives. It can also base its deliberations on input from these groups. The Committee may also create temporary ad-hoc working groups with specific mandates to deal with questions relevant to its mandate.
16. Records and opinions of the Committee shall as far as possible record the consensual opinion of its Members and shall also make mention of minority views.
17. The Committee shall draw up its rules of procedure.

**Questions to Members and Observers of ERAC on the mandate
of the European Research Area Committee¹⁴**

The paragraph numbers in italics that are mentioned after the questions refer to the text of the mandate

GENERAL ISSUES

1. Has the Committee provided timely strategic input to the Council, the Commission and the Member States on research and innovation issues that are the most important and relevant to the development of the European Research Area (ERA)? (*Paragraph 2*) If not, what do you believe has prevented the Committee from doing so?
2. What has been the impact of the Committee's advice to the Council, the Member States and the Commission on the progress of ERA, and how has this been monitored?
3. How has the Committee contributed effectively to promoting the coordination of national research and innovation policies and mutual learning that are relevant to the progress of ERA (*Paragraph 3e*) and what specific examples can MS give?
4. Concludingly, does the present mandate allow the Committee to fulfil its mission (i.e. providing timely strategic input to the Council, the Commission and the Member States) and is it broad enough to deliver on new challenges? (*Paragraph 2*). Are there additional tasks and functions that could be attributed to ERAC or any inappropriate activities and what changes to the mandate would be required?

¹⁴ This questionnaire was originally sent to all ERAC Members and Observers on 9 October 2012.

SPECIFIC ISSUES

Membership and observers

5. Has the Committee benefitted from appropriate high-level representation, commitment and a balance of expertise in order to give advice? (*Paragraph 6*)
6. Are the present arrangements for the participation of countries associated to the Framework Programme as observers effective? (*Paragraph 7*)
7. Are the number (at least four times a year) and duration of meetings and the present venue arrangements an efficient way to fulfil the Committee's mandate? (*Paragraph 8*) Could there be a more effective use of ERAC's website?

Organisation

8. Do the organisational arrangements concerning the Committee allow the Committee to fulfil its mandate effectively and efficiently? (*Paragraphs 9-14*)
9. How has the Committee developed effective strategic interactions and coherence with other ERA-related groups and other relevant policy areas? Is there room for improvement? (*Paragraphs 5 and 15*)
10. Could the way in which the Committee uses ad-hoc temporary groups, seminars, rapporteurs and experts to develop its input and give its advice on specific topics be improved? (*Paragraph 4*)

CONCLUDING QUESTION

11. Are there any other issues on the general functioning of ERAC that should be considered?
