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DATAPROTECT 84
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NOTE

From:	Presidency
To:	Permanent Representatives Committee
No. prev. doc.:	8335/18 RECH 148 TELECOM 100 IND 105 MI 286 COMPET 244 DATAPROTECT 70 ECOFIN 361 CYBER 71
Subject:	<i>Preparation of the Competitiveness Council on 28-29 May 2018</i> Draft Council conclusions on the European Open Science Cloud (EOSC) - Adoption

1. The European Commission published on 14 March 2018 a Staff Working Document outlining the European Open Science Cloud (EOSC) Implementation Roadmap, including the possible technical architecture, governance and financing mechanisms. The EOSC will federate existing and emerging data infrastructures, and will offer a virtual environment within which to store, share and re-use research data across borders and disciplines.
2. The Presidency proposed draft Council conclusions on the European Open Science Cloud in order to provide guidance for the implementation of the EOSC. The draft conclusions have been examined by the Research Working Party at its meetings on 11 April, 23 April and 3 May 2018 and a broad consensus has been reached on the text.

3. The Permanent Representatives Committee is invited to confirm the broad consensus reached in view of the adoption of these draft conclusions by the Council (Competitiveness) on 28-29 May 2018.

Changes to the previous text (doc. 8335/18) are indicated in **bold underlined** for additions and in ~~striketrough~~ for deletions.

DRAFT**COUNCIL CONCLUSIONS**

on the European Open Science Cloud (EOSC)

THE COUNCIL OF THE EUROPEAN UNION**RECALLING:**

- its Conclusions of 27 May 2016 on “The transition towards an Open Science system”¹, which called on the Commission, the Member States and the stakeholders to take the necessary actions needed for making open science a reality and to advocate the need for concerted actions in relevant national, EU, multilateral and international fora;
 - the resolution of the European Parliament on the European Cloud Initiative, adopted in February 2017, supporting the European Open Science Cloud, and calling on the Commission and Member States, in cooperation with other stakeholders, to establish a roadmap to give as fast as possible a clear timescale for the implementation of the actions envisaged by the EOSC;
1. **ACKNOWLEDGES** the progress that has been made towards the development of access ~~of~~ **to** world-class European data infrastructures and cloud-based services since the Commission Communication of 19 April 2016 on “European Cloud Initiative - Building a competitive data and knowledge economy in Europe” and the Commission Communication of 10 May 2017 on the Mid-Term Review of the implementation of the Digital Single Market Strategy, which confirms the need to come forward with an implementation Roadmap for the European Open Science Cloud;

¹ 9526/16

2. NOTES the EOSC Declaration from 26 October 2017 resulting from the EOSC Summit of 12 June 2017, which aimed at reviewing the implementation plans for areas of EOSC that need priority action, gaining commitment and building consensus, and RECALLS that the creation of EOSC, one of the major research-centred processes in the EU today, lies in the joint responsibility of the European Commission and the Member States, taking into account the involvement and support of the stakeholders;
3. HIGHLIGHTS that the implementation and further development of advanced solutions for the effective provision and use of high quality scientific data, with effective descriptors, ease of access, interoperability and reusability, fully implementing the FAIR² principles and developing and promoting Data Commons, should take into account already established practices by research communities, ESFRI Research Infrastructures, e-Infrastructures, as well as other relevant national infrastructures;
4. STRESSES that with regard to data sharing, relevant commercial, privacy and security interests need to be addressed, following the formula “as open as possible, as closed as necessary”;
5. In this context, WELCOMES the Commission Staff Working Document on the Implementation Roadmap for the European Open Science Cloud introducing the EOSC federated model and a two-stage approach for the roll out of the EOSC; TAKES NOTE of the planned support to the first phase of EOSC implementation by means of projects funded by the EU Framework Programme for Research and Innovation (Horizon 2020) and STRESSES the importance of coordinating the various ongoing and future projects funded by the EU Framework Programmes on EOSC, including transnational initiatives that are adhering their activities to EOSC; UNDERLINES that the start of the second phase is dependent on an evaluation by the Commission and the Member States of the first phase and without prejudice to the Multiannual Financial Framework after 2020;

² Findable, Accessible, Interoperable, Reusable (FAIR).

6. ACKNOWLEDGES that the development of the EOSC is the supply side of a broader policy initiative aimed at ensuring as far as possible open access to scientific results and mainstreaming open science practices in Europe; STRESSES that effectiveness requires to act simultaneously on the demand side, with research funders fostering open access, data management mandates and FAIR principles as well as incentives and rewards. URGES the Commission and the Member States to ensure that the EOSC is a user-centred environment, serving the research community foremost at the start, building on its most advanced practices, and then expanding further ~~in the mid to long term~~, to the broader user community, including SMEs, citizens and public authorities;
7. ACKNOWLEDGES that a change of culture among researchers towards openness is a precondition for the successful implementation of the EOSC, hence current discussions on merit in research careers and how to supplement the current parameters with new ones should be taken into consideration;
8. AGREES that the EOSC model should be based on a pan-European federation of data infrastructures in order to be flexible and adaptable to changing needs of the stakeholders; with regard to enabling this federation of national and European data infrastructures, ENCOURAGES Member States to invite their relevant communities, such as e-infrastructures, research infrastructures, Research Funding Organisations (RFO's) and Research Performing Organisations (RPO's), to get organized so as to prepare them for connection to the EOSC and CALLS ON the Commission to make optimal use of ongoing projects, existing expertise and knowledge available via existing initiatives, such as ESFRI, eIRG, GO FAIR and others;

9. CONSIDERS that given the open character of EOSC, its development should be an inclusive and gradual process and RECOMMENDS to the Commission and Member States to ascertain that stakeholders can participate on a voluntary basis by choosing which services or datasets they can share based upon the available means and according to the applicable rules and regulations;
10. INVITES the Commission and the Member States therefore, to jointly explore the creation of a map of national research data infrastructures and initiatives in the Member States which could be federated, in order to ensure that current structures, competences, functions, and initiatives regarding research data management are duly taken into account;
11. UNDERLINES that the key factors for the success of EOSC are a sound governance and sustainable business model as well as training an adequate number of data professionals. SUPPORTS the two-stage approach for the EOSC governance that enables all Member States and the Commission to steer and oversee the initial development of the EOSC in the first phase. In the second phase the EOSC governance should become mainly stakeholder-driven, while maintaining a higher-level steering role for all Member States and the Commission. RECOMMENDS that effective coordination is established with ESFRI;
12. WELCOMES the EOSC model constituted of six interrelated lines of actions (architecture, services, data, access, rules, governance) and INVITES the Commission and all Member States, taking into account the recommendations of the ERAC Standing Working Group on Open Science and Innovation, to set up a governance framework that ensures participation of stakeholders from the research community and effective involvement of all Member States, and corresponds to the following principles and criteria:
 - a. Federation and interoperability of existing data infrastructures whilst respecting the governance and funding mechanisms of the latter;

- b. Clear and effective interrelations among the different bodies constituting the EOSC governance framework and in particular a clear definition of the roles of the Governance Board and of the Executive Board, assuring that both bodies have clearly defined tasks with the Governance Board overseeing the EOSC governance implementation;
 - c. Objective and transparent criteria for selection and involvement of Member States and Associated Countries representatives and stakeholders, such as the large pan-European research infrastructures (RIs), public research organisations (PROs) and Universities in the Executive Board, working groups/subgroups and other relevant committees;
 - d. Inclusiveness and openness, of the EOSC governance framework to ensure effective communication among doers³ and decision-makers;
 - e. Development of a scientific expertise on EOSC.
13. ENCOURAGES the Commission to nominate to EOSC bodies top level professionals with a good connection to the scientific community and to national and international initiatives, and to ensure participation of all stakeholders, independently from the current endorsement of the EOSC Declaration;
14. INVITES the Commission to make every effort to launch the EOSC governance structure in 2018, whilst in close consultation with ERAC and without prejudice to quality;
15. CALLS ON the Commission to ensure that the opportunities of the EOSC are maximised for all Member States, including in particular through its technical design and specific measures such as investment in human capital to support the federation of their infrastructures into EOSC;

³ The attendees of the EOSC Summit in June 2017 and signatories of EOSC Declaration committed to implement the vision of the European Science Cloud while open to new entrants willing to participate in the effort.

16. CALLS FOR an efficient implementation of the EOSC and INVITES the Commission to elaborate, in close consultation with the Member States, on the future financing of the EOSC and any other budgetary decisions resulting from the implementation of the EOSC; STRESSES in particular the importance of developing a sustainable business model and of choosing the best fit legal vehicle for the second phase of development;
 17. STRESSES the global nature of research data management, welcomes ongoing discussions in the context of international fora and CALLS ON the Commission and Member States to coordinate their positions in an international context.
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