



Council of the  
European Union

Brussels, 24 November 2021  
(OR. en)

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RECH 535  
ERAC 5

#### NOTE

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Draft Council Decision on the composition and the mandate of the European Research Area and Innovation Committee (ERAC)

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Delegations will find attached a revised draft Council Decision on the composition and the mandate of the European Research Area and Innovation Committee (ERAC) with a view to the meeting of the Research Working Party on 29 November 2021.

Changes to the previous text (doc. 13579/21) are indicated in **bold underlined** for additions and ~~striketrough~~ for deletions.

## DRAFT COUNCIL DECISION

### on the composition and the mandate of the European Research Area and Innovation Committee (ERAC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 179(1) and Article 240(3) thereof,

Whereas:

- (1) The European Research Area and Innovation Committee (ERAC, hereinafter ‘the Committee’) was set up by Council Resolution of 14 January 1974 which established a Scientific and Technical Research Committee (CREST)<sup>1</sup>, replaced by Council Resolution of 28 September 1995 on CREST<sup>2</sup>, Council Resolution of 28 May 2010, which changed the name of CREST to European Research Area Committee – ERAC<sup>3</sup>, Council Resolution of 30 May 2013, by which ERAC became the European Research Area and Innovation Committee<sup>4</sup>, and Council conclusions of 1 December 2015 on the review of the European Research Area advisory structure<sup>5</sup>.
- (2) On 1 December 2020, the Council adopted conclusions on the new European Research Area (ERA), which defined the new ERA as a researchers-centred, value-based, excellence as well as impact-driven area, in which researchers, knowledge and technology are supported and can circulate freely.

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<sup>1</sup> OJ C 7, 29.01.74, p. 2.

<sup>2</sup> OJ C 264, 11.10.1995, p. 4.

<sup>3</sup> Council Resolution of 28 May 2010, doc. 10255/10.

<sup>4</sup> Council Resolution of 30 May 2013, doc. 10331/13.

<sup>5</sup> Council Conclusions of 1 December 2015, doc. 14875/15.

- (3) {On 26 November 2021, the Council adopted conclusions on the future governance of the European Research Area, which highlighted that the new ERA and its priorities require a comprehensive redesign of the ERA governance, reaffirmed the ERAC as the high-level strategic policy joint advisory committee, providing early advice to the Council, the Commission and the Member States on strategic research and innovation (R&I) policy issues;
- (4) The Council also agreed to review the ERAC mandate in order to reflect the new ERA governance and to limit the membership to **representatives of** Member States **and the Commission** ~~representatives~~ with high executive level of responsibility for R&I policies, and acknowledged the added value of the co-chairing of ERAC by the representatives of Member States and the Commission. }
- (5) The mandate of the Committee should therefore be revised,

HAS ADOPTED THIS DECISION:

*Article 1*

The revised mandate of the European Research Area and Innovation Committee ('the Committee') is hereby adopted.

The text of the mandate is set out in the Annex hereto.

*Article 2*

This Decision shall ~~take effect~~ **enter into force on the day of its adoption** ~~from the day following its publication.~~

Done at Brussels, xx xxx xxxx.

*For the Council*

*The President*

**Mandate of the European Research Area and Innovation Committee (ERAC)**

**TASKS OF THE COMMITTEE**

*Article 1*

1. The European Research Area and Innovation Committee (ERAC), hereafter referred to as ‘the Committee’) shall be a high-level strategic policy joint advisory committee, providing early advice to the Council, the Commission and the Member States on strategic R&I policy issues.
2. The Committee’s **tasks** shall ~~have~~ **include** the following ~~tasks~~:
  - ~~{~~advise on strategic policy orientations and future trends that require the refinement of Union and national, including regional, R&I policies, including on the current and the next Union R&I Framework Programme and other relevant R&I-driven Union initiatives;
  - initiate updates of the ERA policy agenda, by providing early strategic advice informed also by consideration of the progress made in the ongoing ERA actions;
  - reflect and provide advice on new policy demands, which fulfil the ERA policy agenda criteria, throughout the implementation of the ERA policy agenda;
  - interact with governance and coordination structures at similar level in other relevant policy areas, such as higher education and industry.~~}~~

## *Article 2*

The Committee shall provide its advice, and deliver opinions and reports at the request of the Council, the Commission or on its own initiative.

## COMPOSITION

## *Article 3*

1. The Member States and the Commission shall appoint ~~a~~ **two** members to the Committee.
2. The members of the Committee shall be representatives with high executive level of responsibility for R&I policies.
3. A member who is unable to attend a meeting of the Committee may nominate a replacement for that meeting or delegate his or her functions to another member. The co-Chairs and the Secretariat of the Committee shall be informed in writing before the meeting.

## CHAIRPERSON AND SECRETARIAT

## *Article 4*

1. The Committee shall be co-chaired by a Member State representative and a Commission representative.
2. The Committee shall elect from among its Member States representatives, by a majority of its members, a co-Chair for a period of three years, renewable once.
3. **The Member State whose representative is appointed co-Chair and the Commission shall have one additional representative on the Committee for the co-Chair's period of office.**
4. **The co-Chairs shall have no voting rights.**

#### *Article 5*

In the event of one of the co-Chairs being unable to fulfil his or her duties, the co-Chair shall nominate a replacement in agreement with the other co-Chair.

#### *Article 6*

The secretariat shall be provided by the General Secretariat of the Council.

### PROCEEDINGS

#### *Article 7*

Opinions and reports shall be adopted by a simple majority of the members of the Committee if a vote is requested. Each member shall have one vote. The Committee shall also report on minority or dissenting views expressed in the course of the discussion.

#### *Article 8*

As a rule only members may speak during the meetings of the Committee. In exceptional circumstances the co-Chairs may agree to alternative arrangements.

#### *Article 9*

Representatives of countries associated to the EU Framework Programme, as well as relevant third countries, external experts and stakeholders may be invited to relevant Committee meetings as appropriate for specific agenda items in accordance with the Council's Rules of Procedure.

#### Article 10

The Committee may, in duly justified cases, entrust specific tasks to *ad-hoc* temporary Task Forces.

#### Article 11

The Committee shall be convened ~~up to four times~~ twice per year. When the situation so requires, the co-Chairs shall convene a special meeting of the Committee.

The meetings shall normally be held in Brussels but may be hosted by the country holding the rotating Presidency of the Council of the European Union in accordance with the Council's Rules of Procedure.

#### Article 12

1. The Committee shall have a Steering Board. The Steering Board shall consist of the ERAC co-Chairs and one representative of each of the Member States of the incumbent and the subsequent Trio Presidencies of the Council of the European Union.
2. The Steering Board shall select and prepare topics for the strategic discussions of the Committee, supported as necessary by the Committee's *ad-hoc* Task Forces.

#### Article 13

The Commission shall inform the Committee of the work of the ERA Forum on a regular basis.

#### Article 14

The Committee shall adopt its own ~~working~~ Procedural Arrangements in accordance with the Council's Rules of Procedure.