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STANDING COMMITTEE
OF THE EFTA STATES

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SUBCOMMITTEE IV ON FLANKING AND HORIZONTAL POLICIES

Comments by the EEA EFTA States on the rules for the participation of undertakings, research centres and universities in research work and for the dissemination of research results for the implementation of the European Community Framework Programme 2002-2006

EXECUTIVE SUMMARY

The EEA EFTA States strongly support the initiatives to simplify and streamline procedures for participation in the new Research Framework Programme.

The initiatives propose to facilitate the participation of the associated candidate countries in the framework programme are welcomed by the EEA EFTA States, as it would also lead to enhanced co-operation between these countries and the EEA EFTA States.

It is considered that the proposal to grant participants from the associated candidate countries the same rights and obligations as participants from the Member States, will not impair those of the EEA EFTA States as concerns their participation in the Research Framework Programme.

As for the provisions for the new instruments, in particular networks of excellence and integrated projects, some issues remain unclear. Care should also be taken to avoid loss of transparency when consortiums are expanded or are given additional funding.

I INTRODUCTION

1. The Commission adopted on 10 September 2001 a proposal for a decision by the Parliament and the Council concerning the rules for the participation of undertakings, research centres and universities and for the dissemination of research results for the implementation of the European Community Framework Programme 2002-2006¹. The proposal aims at adapting the rules on participation in research programmes and dissemination of project results in line with the characteristics of the new framework programme, and at simplifying and streamlining existing provisions in order to make them clearer and easier to understand.

¹ [COM\(2001\) 500 final](#)

II GENERAL REMARKS

2. The EEA EFTA States welcome the efforts to adapt the rules for participation in the proposed new framework programme and for the dissemination of the programme's result, which will not only assist in the creation of a European Research Area, but will also allow for wider research co-operation with other countries and international organisations.

3. The proposal represents a further simplification of procedures to provide for more flexibility and smooth operation of projects, meeting many of the demands expressed by users of the fifth framework programme. The simplified provisions regarding intellectual property represent another improvement, establishing identical rights to the project results for all participants.

4. Many of the provisions of the proposal will be implemented through a future revision of the 'model contract'. As important issues regarding procedures and intellectual property rights will only be detailed at this level, the EEA EFTA States are ready to give further contributions at expert level in the drafting of the new model contract, in accordance with the provisions of the EEA Agreement and with practice established through the preparation of former framework programmes.

III DETAILED COMMENTS

5. The ongoing enlargement process is particularly reflected in the proposal, which aims at strengthening the associated candidate countries' involvement in the framework programme. The EEA EFTA States welcome such initiatives, which would also be beneficial to the co-operation between the EEA EFTA States and the associated candidate countries.

6. It is considered that the proposal to grant participants from the associated candidate countries the same rights and obligations as participants from the Member States, will not impair the rights and obligations of the EEA EFTA States as concerns their participation in the Research Framework Programme.

7. As regards the new instruments of the framework programme, in particular the networks of excellence and integrated projects, the EEA EFTA States underline the need to make the rules for participation understandable and logical. While the present proposal answers some of the questions raised by the EEA EFTA States in the comments submitted to the Commission in September 2001², some uncertainties still remain. The need for flexibility due to the many objectives of the framework programme also calls for a gradual introduction of new instruments.

² Comments by the EEA EFTA States on horizontal issues in the Commission's proposal for the multiannual framework programme 2002-2006 of the European Community for research, technological development and demonstration activities aimed at contributing towards the creation of the European Research Area (EFTA document 4/RD/W/004 of 4 September 2001).

8. The definition of networks of excellence is somewhat unclear. In particular it contains no reference to or definition of 'excellence', but refers to 'existing and emerging research capacities' (Article 4.1), which needs to be clarified. As for integrated projects (Article 5), the definition strongly favours applied projects, leaving out other important relevant aspects. These could include the needs for new knowledge, interdisciplinary approaches and long-term research.

9. The emphasis on the development of new products, processes and services, both in the integrated projects and in the specific targeted research or innovation projects, could warrant a reference to Community competition rules, given the possible size of the funding involved.

10. Some of the provisions concerning change in consortium membership (Article 23) also need further clarification. It is proposed that a consortium should itself be allowed to identify new participants 'on such terms as it deems appropriate or in terms of the contract'. To this end, the consortiums can themselves publish calls and evaluate the offers. If assistance is needed in the evaluation process, the consortiums can also appoint independent experts. The provisions represent a major change from today's practice, whereby the Commission is mainly responsible for the publication of calls, evaluation and identification of new participants. Care should therefore be exercised to secure transparency, independent evaluation and equal opportunities, especially regarding the possibilities of smaller research entities and enterprises to become new members of a consortium. Also, the intellectual property rights of such new members and their possible need for a separate contract are not clear.

11. The Commission proposes that it may increase the funding to an ongoing project in order to expand its scope to cover new activities (Article 24). However, no information is given as to what conditions must be fulfilled to qualify for such extra funding. Also, calls for proposals for additional financial contribution may be restricted. It is feared that such provisions may lead to loss of transparency.

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