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Statutes of the European Holocaust Research Infrastructure

11 December 2024

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PREAMBLE

The Republic of Austria,

The Republic of Croatia,

The Czech Republic,

The Federal Republic of Germany,

The State of Israel,

The Netherlands,

The Republic of Poland,

Romania

The Slovak Republic,

The United Kingdom

Hereinafter referred to as 'the Founding Members',

WHEREAS the Founding Members recognise that the Holocaust is a vital part of humanity's cultural heritage and a foundational moment in the development of modern Europe;

RECOGNISING the importance of existing international declarations that commit countries to support Holocaust documentation, research, education and memorialisation including the 2000 Declaration of the Stockholm International Forum on the Holocaust;

CONSIDERING that increasing our scientific understanding of the Holocaust addresses important societal concerns including the fight against Holocaust distortion and denial, conspiracy theories, racism, xenophobia and antisemitism;

RECOGNISING the importance of facilitating seamless access to dispersed Holocaust archives, resources and expertise;

RECOGNISING that enabling a culture of sharing, openness and exchange across disciplinary borders will produce outstanding results;

RECOGNISING the potential of digital technologies and open science principles to enhance Holocaust research and documentation;

CONSIDERING that state-of-the-art Holocaust research and documentation lead to innovations that can benefit other scientific fields and cultural industries and, in turn, benefit from innovations in other fields;

RECOGNISING that increased transnational collaboration will foster the exchange of knowledge and expertise, promote technology transfer, avoid duplication of investments and efforts, and decrease the fragmentation and dispersal of Holocaust-related resources and expertise;

CONSIDERING the need to safeguard academic freedom in Holocaust research and documentation by facilitating the study of the Holocaust openly and transparently and in accordance with scientific principles;

RECOGNISING that EHRI will be a unique, sustainable research infrastructure that coordinates and integrates distributed resources and expertise from national collections to offer state-of-the-art services to a wide community of international users;

ACKNOWLEDGING the results and methodologies of previous European Commission funded projects to integrate and structure the European Holocaust research and documentation community on a permanent and open basis;

RECOGNISING the need to develop existing cooperation into a permanent and sustainable structure that strengthens the integration and cohesion of Holocaust research and documentation and consolidates Europe's leading position in the field;

REQUESTING the European Commission to establish the European Holocaust Research Infrastructure as a European Research Infrastructure Consortium (EHRI-ERIC);

HAVE AGREED AS FOLLOWS:

CHAPTER 1

ESSENTIAL ELEMENTS

Article 1

Name and Statutory Seat

1. There shall be a distributed research infrastructure called the 'European Holocaust Research Infrastructure', hereinafter referred to as 'EHRI'.
2. EHRI shall have the legal form of a European Research Infrastructure Consortium (ERIC) incorporated under the provisions of Regulation (EC) No 723/2009 and be named 'EHRI-ERIC'.
3. EHRI-ERIC shall have its statutory seat in Amsterdam, the Netherlands.

Article 2

Tasks and Activities

1. The principal task of EHRI-ERIC shall be to establish and operate the EHRI to enable excellence in transnational Holocaust research, documentation, education and remembrance.
2. EHRI-ERIC shall work closely with the scientific, archival and educational community. In pursuit of its principal task and in accordance with the provisions of these statutes, EHRI-ERIC shall undertake and coordinate the following activities:
 - a) provide an integrated platform for in-person and virtual access to dispersed Holocaust-related sources, information and expertise;
 - b) enable the digital transformation of Holocaust archives and research by promoting open access and interoperable standards, methods and tools;
 - c) advance scientific knowledge of the Holocaust by supporting multi- and transdisciplinary, transnational and collaborative approaches to research;
 - d) promote a culture of openness, learning and exchange by providing access to training, networking and collaboration opportunities;
 - e) establish stable partnerships and collaborations with other relevant organisations and infrastructures in and outside Europe;
 - f) communicate the social, political and cultural importance of the Holocaust to society as a whole;
 - g) advance Holocaust-related public policy agendas through the provision of scientific expertise and infrastructural support;
 - h) engage in any other relevant activity that will help EHRI-ERIC achieve its mission and strengthen Holocaust research in the European Research Area.
3. The EHRI-ERIC Central Office shall be responsible for coordinating the activities of EHRI-ERIC. EHRI-ERIC shall pursue all of its activities ethically and transparently and shall avoid potential organisational or personal conflicts of interest.
4. EHRI-ERIC shall pursue its principal task on a non-economic basis, however, without prejudice to State aid applicable rules, it may carry out limited economic activities provided that they are closely related to its principal task and that they do not jeopardise the achievement thereof. Any income generated by such limited economic activities shall be used by EHRI-ERIC to further support its tasks and activities.

*Article 3***Duration and Winding Up**

1. EHRI-ERIC shall exist for an indefinite period of time.
2. The winding up of EHRI-ERIC shall follow a decision of the General Assembly in accordance with Article 20(6)(i) of these statutes.
3. Without undue delay and in any event within 10 working days after adoption of the decision to wind up, EHRI-ERIC shall notify the European Commission about the decision.
4. Assets remaining after payment of EHRI-ERIC debts shall be apportioned among the Members in proportion to their accumulated annual contributions to EHRI-ERIC over the last five consecutive years prior to the year in which the decision to wind up has been taken.
5. Without undue delay and in any event within 10 working days of the closure of the winding up procedure, EHRI-ERIC shall notify the European Commission thereof.
6. EHRI-ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the Official Journal of the European Union.

*Article 4***Liability and Insurance**

1. EHRI-ERIC shall be liable for its debts.
2. The Members are not jointly liable for the debts of EHRI-ERIC.
3. The Members' financial liability for the debts of EHRI-ERIC shall be limited to their respective annual contribution in the last full year of operation.
4. EHRI-ERIC shall take appropriate insurance to cover the risks specific to its operation.

*Article 5***Scientific Evaluation Policy**

1. The activities and results of the EHRI-ERIC shall be evaluated every three years by an independent panel composed of international experts appointed by the General Assembly on a worldwide basis, without a requirement to be based in a Member or Observer country.
2. The expert panel shall evaluate EHRI-ERIC's scientific activities and shall transmit the results of the evaluation to the General Assembly.
3. The National Coordinators Committee shall assist the panel in the conduct of the scientific evaluation by providing all the necessary information about the activities of the National Nodes.

*Article 6***Access Policy for Users**

1. EHRI-ERIC shall grant its users physical and virtual access to Holocaust-relevant resources and expertise. Relevant resources and expertise may be hosted either by the Central Hub or by the National Nodes. In either case, users are provided with a single-entry point managed by the Central Hub.
2. Whenever possible, access shall be provided on the basis of wide access - i.e. unrestricted, free and open to anyone. In cases where access has to be restricted for capacity reasons, selection shall be undertaken on the basis of excellence.
3. Information about access opportunities, procedures and evaluation criteria shall be made publicly available on the EHRI-ERIC website.
4. EHRI-ERIC's Access Policy shall be the object of a specific regulation document, subject to approval by the General Assembly.

*Article 7***Dissemination Policy**

1. EHRI-ERIC shall be a facilitator of research and shall generally encourage as free access as possible to research data and results.
2. EHRI-ERIC shall encourage users to make their research results available through the EHRI-ERIC repository and/or other repositories within a reasonable period and conforming to the FAIR Data principles (Findability, Accessibility, Interoperability and Reusability) and within a reasonable period.
3. EHRI-ERIC shall require its Users to acknowledge the use of EHRI-ERIC.
4. EHRI-ERIC shall use the most appropriate and far-reaching channels to reach its target audiences, including a website, newsletters, media, social media, workshops, presence in conferences, articles in magazines and journals, and contributions to print, broadcast as well as other channels as may be appropriate.

*Article 8***Intellectual Property Rights Policy**

1. The term 'intellectual property' shall be understood in accordance with Article 2 of the Convention Establishing the World Intellectual Property Organization signed on 14 July 1967.
2. Subject to any contract between EHRI-ERIC and a third party, intellectual property rights created, obtained or developed by a third party shall be owned by that third party.
3. Subject to any contract between EHRI-ERIC and a third party, intellectual property rights created, obtained or developed by EHRI-ERIC shall be owned by EHRI-ERIC.
4. EHRI-ERIC may adopt any additional policy on intellectual property to be approved by the General Assembly.

*Article 9***Employment Policy**

1. The selection procedure for EHRI-ERIC staff positions shall be transparent, non-discriminatory and respect equal opportunities.
2. Employment contracts shall follow the national laws of the country in which staff is employed or in the country where they work, as may be determined by applicable law.
3. Detailed rules of staff recruitment shall be set out in the implementing rules and shall be adopted by the General Assembly.

*Article 10***Procurement Policy**

1. EHRI-ERIC procurement policy shall respect the principles of transparency, non-discrimination and competition.
2. EHRI-ERIC shall adopt its own procurement rules and procedures, to be approved by the General Assembly.

CHAPTER 2

GENERAL PROVISIONS*Article 11***Working Language**

1. The working language of EHRI-ERIC shall be English.

*Article 12***Statutes Updates and Availability**

1. The statutes shall be kept up to date and publicly available on the EHRI-ERIC website and at the statutory seat.
2. Any amendment to the statutes shall be clearly indicated with a note specifying whether the amendment concerns an essential or non-essential element of the statutes in accordance with Article 11 of Regulation (EC) No 723/2009.

CHAPTER 3

MEMBERSHIP AND OBSERVERSHIP*Article 13***Members and Observers**

1. The following entities may become Members of EHRI-ERIC or join as Observers without voting rights:
 - a) Member States of the European Union;
 - b) Associated Countries, as referred to in Regulation (EC) No 723/2009;
 - c) Third countries other than Associated Countries;
 - d) Intergovernmental organisations.
2. Admission of new Members and Observers and the withdrawal and termination of membership and observership shall take place in accordance with Articles 14 and 15.
3. The membership of EHRI-ERIC shall include at least one Member State and two other countries that are either Member States or Associated Countries.
4. Member States or Associated Countries shall hold jointly the majority of the voting rights in the General Assembly. The General Assembly shall determine any modification of voting rights that are necessary to ensure that EHRI-ERIC complies at all times with this requirement.
5. Any Member or Observer referred to in paragraph 1(a) to (c) may be represented by one or more public entities or private entities with a public service mission of its own choosing and appointed in accordance with its own rules and procedures. Each Member or Observer shall inform in writing the General Assembly of any change of its representing entities, of the specific rights and obligations which have been delegated to it or of any other relevant change.
6. The Members and Observers of EHRI-ERIC and their representing entities are listed in Annex I. Annex I shall be kept up to date by the Central Office.

*Article 14***Admission of Members and Observers**

1. Entities referred to in Article 13(1) willing to become Members of EHRI-ERIC shall submit a written application to the Chair of the General Assembly and to the Director. That application shall describe how the entity will contribute to EHRI-ERIC tasks and activities described in Article 2 and how it will fulfil the obligations referred to in Article 16(2).
2. The admission of the entities as new Members shall be subject to the approval by the General Assembly, according to the voting rules described in Article 20(6)(c) and following the advice of the Advisory Board.
3. Entities referred to in Article 13(1) who are willing to contribute to EHRI-ERIC, but are not yet in a position to join as Members, may apply for Observer status. These entities shall submit a written application to the Chair of the General Assembly and to the Director. That application shall describe how the applicant will contribute to EHRI-ERIC tasks and activities described in Article 2 and how it will fulfil the obligations referred to in Article 17(2).
4. The admission of Observers or extension of Observer status shall be subject to the approval by the General Assembly, according to the voting rules described in Article 20(6)(c) and following the advice of the Advisory Board.
5. Where the General Assembly votes to admit an applicant as an Observer, it shall be limited to a three-year period. Observers may apply once for an extension of their Observer status for the same duration.
6. An entity that foresees a lasting participation in EHRI-ERIC, but is not in a position to become a Member, may in exceptional cases be granted the status of a Permanent Observer. Permanent Observers shall have the same rights and obligations as Members as provided for in Article 16, except for the right to vote at the General Assembly.

*Article 15***Withdrawal and Termination of Membership or Observer Status**

1. A Member may not withdraw within the first five years of their membership unless exceptionally agreed otherwise by the General Assembly. Withdrawal shall be at the end of a financial year.
2. Subject to 16(1), a Member may withdraw its membership at any time upon a 12 months' prior written notice to the Chair of the General Assembly. Withdrawal will come into effect at the end of the next financial year in which a notice of withdrawal has been given, namely 31 December of the following year.
3. EHRI-ERIC Observers may not withdraw within the first three years of their observership unless exceptionally agreed otherwise by the General Assembly. After the three-year period, an EHRI-ERIC Observer may withdraw at the end of a financial year by giving six months' notice of withdrawal in writing to the Chair of the General Assembly.
4. The General Assembly may terminate membership or observer status if the following conditions are met:
 - a) the Member or Observer is in serious breach of one or more of its obligations or the conditions of membership or Observer status under these statutes; and
 - b) the Member or Observer has failed to rectify such breach within six months after it has received notice of the breach in writing; and
 - c) the Member or Observer has been given an opportunity to explain its position to the General Assembly before a decision is made on the issue.
5. The General Assembly shall define what constitutes a serious breach of an obligation in the rules of procedure.
6. Members and Observers shall continue paying their membership or observer fees and to fulfil all financial and other obligations until withdrawal or termination becomes effective.

7. Notwithstanding Article 15(1), Article 15(2) and Article 15(3), Members and Observers referred to in Article 13(1)(b) and (c), may withdraw from EHRI-ERIC following changes in Regulation (EC) No 723/2009 that would materially affect their rights and obligations in relation to EHRI-ERIC. Such changes are considered to materially affect their rights and obligations where they imply or impose on that specific member or observer:

- a) increased fees (including higher annual contributions or decommissioning costs);
- b) fewer voting rights compared to other members or observers referred to in Article 13(1)(a);
- c) requirements contrary to applicable law referred to in Article 30 of these statutes;
- d) remove the right to be represented in the General Assembly or other committees; or change their rights related to representation or use of the facility.

The affected member or observer (which is not a Member State), may withdraw from EHRI-ERIC upon 6 months prior written notice to the Chair of the General Assembly.

CHAPTER 4

RIGHTS AND OBLIGATIONS OF MEMBERS AND OBSERVERS

Article 16

Members

1. Members shall have a right:
 - a) to attend and vote at General Assembly meetings, with the exception of voting on decisions regarding that Member's termination of membership in accordance with Article 15(4);
 - b) to attend, elect and be elected to the governance bodies of EHRI-ERIC through its representatives;
 - c) to participate in the development of strategies and policies of EHRI-ERIC;
 - d) to use EHRI-ERIC's brand;
 - e) for their relevant research community to participate in project proposals where EHRI-ERIC acts as the submitting entity;
 - f) for its research community to use all the tools, services and other offerings coordinated by EHRI-ERIC;
 - g) for its relevant research community to participate in EHRI-ERIC events.
2. Each Member shall:
 - a) establish a National Node of EHRI-ERIC consisting of one or more institutions who will contribute to the activities of EHRI-ERIC and promote the integration of EHRI-ERIC user communities;
 - b) appoint at least one but not more than two representatives to the General Assembly and empower them with full authority to vote on its behalf on all matters brought before the General Assembly, subject to the provision of one vote per Member in accordance with Article 20(2);
 - c) appoint a National Coordinator in accordance with Article 22(2);
 - d) pay the annual cash contribution in accordance with Annex II;
 - e) grant access to the national EHRI facilities in accordance with the EHRI-ERIC Access Policy;
 - f) promote the adoption of relevant standards, guidelines and procedures among the institutions contributing to a National Node;
 - g) provide the necessary technical infrastructure to facilitate the integration of data and services into the EHRI-ERIC;
 - h) promote the use of EHRI-ERIC resources and services and gather user feedback and requirements.
3. The General Assembly may decide to suspend a Member's voting rights if that Member is 12 months or more in arrears of meeting its obligations under Article 16(2)(d), until contributions have been paid in full.

*Article 17***Observers**

1. Observers shall have a right:
 - a) to attend the meetings of the General Assembly without voting rights;
 - b) for its relevant research community to use all the tools, services and other offerings coordinated by EHRI-ERIC;
 - c) for its relevant research community to participate in EHRI-ERIC events;
 - d) for its relevant research community to have access to support from EHRI-ERIC in developing systems, processes and services necessary to establish a National Node.
2. Each Observer shall:
 - a) appoint at least one but not more than two representatives to the General Assembly;
 - b) pay the annual cash contribution in accordance with Annex II;
 - c) fulfil any other obligation negotiated between the respective Observer and EHRI-ERIC as agreed by the General Assembly including the future establishment of a National Node;
 - d) endeavour to become a Member of EHRI-ERIC.
3. The General Assembly may decide to suspend an Observer's rights if that Observer is 12 months or more in arrears of meeting its obligations under Article 17(2)(b), until contributions have been paid in full.

CHAPTER 5

PARTICIPATION OF COOPERATING PARTNERS*Article 18***Cooperating Partners**

1. EHRI-ERIC may enter into cooperation agreements with Cooperating Partners in countries that are not Member or Observer of EHRI-ERIC.
2. Cooperating Partners must to the satisfaction of the General Assembly contribute to fulfilling the tasks and activities of EHRI-ERIC.
3. The cooperation agreement shall be concluded by the Director of EHRI-ERIC after approval by the General Assembly. The cooperation agreement shall establish the terms and conditions under which the Cooperating Partner may engage with EHRI-ERIC and commit to tasks and activities set out in Article 2.

CHAPTER 6

GOVERNANCE*Article 19***Governance Structure**

1. The governance structure of EHRI-ERIC shall consist of the following bodies:
 - a) the General Assembly;
 - b) the Director;
 - c) the National Coordinators Committee ('NCC');
 - d) the Advisory Board;
 - e) a Steering Committee.
2. The General Assembly may establish additional committees as may be required for the proper functioning of EHRI-ERIC.

*Article 20***General Assembly**

1. The General Assembly shall be the highest governing body of EHRI-ERIC with full decision-making power. The General Assembly shall be composed of representatives of the Members and the Observers.
2. Each Member shall nominate up to two representatives, but only one representative will carry the vote. Each Observer shall nominate up to two representatives, but with no voting rights. The representatives of the Members and Observers may be assisted by up to two experts.
3. The General Assembly shall meet at least once per year in an ordinary meeting.
4. The General Assembly shall be responsible for the overall direction and supervision of EHRI-ERIC in accordance with the provisions of these statutes and it shall decide on any matters which are necessary to fulfil the mission of EHRI-ERIC.
5. On all items, the General Assembly shall use their best efforts to achieve consensus. If consensus cannot be achieved, the General Assembly shall make decisions in accordance with the voting system as defined in paragraphs 6, 7 and 8. Members abstaining from voting shall be counted as absent with no effect on the quorum required to constitute the meeting under Article 20(11).
6. The following decisions shall require a two-thirds majority of the votes cast by the Members attending the meeting:
 - a) to appoint, suspend or dismiss the Director;
 - b) to appoint, suspend or dismiss representatives of the Advisory Board;
 - c) to approve the accession of new Members and Observers and the withdrawal, suspension or termination of Members and Observers' participation in EHRI-ERIC;
 - d) to approve the accession, withdrawal, suspension or termination of Cooperating Partners;
 - e) to approve financial and budgetary statements, including the annual budget;
 - f) to approve the scientific strategy;
 - g) to approve the annual activity report;
 - h) to create or disband governance or management bodies not listed in Article 19(1);
 - i) to decide on winding up of EHRI-ERIC in accordance with Article 3(2).
7. The following decisions shall require unanimity of the votes cast by the Members attending the meeting:
 - a) change of the Financial Model and principles of Members and Observer contributions, including the framework for in-kind contributions;
 - b) approval of the 5-year financial plan;
 - c) amendment of the statutes of EHRI-ERIC.

When a decision on the changes to the Financial Model, Member and Observer contributions, the 5-year financial plan or amendments to EHRI-ERIC's statutes cannot be reached at two consecutive ballots at separate meetings, the decision shall be taken with three-quarter majority at a third ballot organised at a consecutive meeting.

8. All other matters not defined as requiring a two-third majority or unanimity of the votes cast shall be decided by simple majority of the votes cast.
9. The General Assembly shall elect a Chair and a Vice-Chair among the representatives of the Members for a 3-year term, renewable for up to 3 years, once. The meetings of the General Assembly shall be convened by the Chair or in his/her absence by the Vice-Chair. The Chair and Vice-Chair shall have no extra voting rights.

10. An extraordinary meeting of the General Assembly may be requested by at least half of the Members.
11. A quorum of two-thirds of Members shall be required for having a valid General Assembly meeting. If there is no quorum, the meeting shall be repeated within one month following a new invitation, with the same agenda. In the repeat meeting there shall be a quorum if half of Members are present.
12. Ordinary and extraordinary meetings of the General Assembly may be held in-person or virtually.
13. When for reasons of urgency a specific decision cannot be postponed for the next ordinary or extraordinary meeting of the General Assembly, the Chair may submit a request for a decision by way of a written procedure.
14. The General Assembly shall adopt its own rules of procedure.

Article 21

Director

1. A Director shall be appointed by the General Assembly for a term of five years. The appointment may be renewed once for an additional period of up to five years.
2. The Director shall be the chief executive officer and the legal representative of EHRI-ERIC.
3. The Director shall appoint and dismiss the staff of the Central Office.
4. The Director shall be responsible for:
 - a) the daily management and administration of EHRI-ERIC and the Central Office;
 - b) ensuring that EHRI-ERIC complies with all applicable legal requirements;
 - c) preparing the meetings of the General Assembly;
 - d) implementing the decisions of the General Assembly in accordance with applicable laws and regulations;
 - e) elaborating the strategic plan of EHRI-ERIC in collaboration with the National Coordinators Committee and subject to the approval of the General Assembly;
 - f) submitting the annual activity report to the General Assembly, taking into account the activities of the National Coordinators Committee and the Advisory Board;
 - g) providing the General Assembly with annual financial statements and budget forecasts;
 - h) carry out any other relevant task as may be required by the General Assembly.

Article 22

National Coordinators Committee ('NCC')

1. The General Assembly shall establish a National Coordinators Committee.
2. Each National Node shall appoint one National Coordinator according to their own rules and procedures. The National Coordinator shall attend the meetings of the NCC on behalf of the National Node and represent all institutions involved in the National Node.
3. The NCC shall elect a Chair and a Vice-Chair among its Members for a period of three years, not renewable.
4. The NCC shall:
 - a) ensure consistency and coherence of the activities of the National Nodes;
 - b) ensure adherence to as well as the implementation and coordination of EHRI-ERIC policies in the national network;

- c) organise adequate structures to represent national partner institutions as well as local users and professionals. In particular, gather and aggregate their suggestions, requirements, and concerns, and communicate these to the Director and the General Assembly;
 - d) make proposals to improve EHRI as well as the procedures and practices of the National Node;
 - e) contribute to the scientific strategy of EHRI-ERIC;
 - f) report the nature and the value of national in-kind contributions to the Director;
 - g) set up temporary or permanent working groups or regional groupings to assist the National Coordinators Committee with specific tasks or to provide the National Coordinators Committee with expertise in specific domains and regions. Appoint the Members of working groups and regional groupings, elect the Chair of working groups and regional groupings and monitor the operation of working groups and regional groupings.
5. The rules of procedure of the NCC shall be approved by the General Assembly.

Article 23

Advisory Board

1. The General Assembly shall establish an independent Advisory Board. The Advisory Board shall consist of distinguished, internationally recognised scientists, scholars, experts, and stakeholders' representatives from the different disciplines with which EHRI-ERIC engages. Advisory Board members shall be appointed by the General Assembly on a worldwide basis, without a requirement to be based in a Member of Observer country and shall act on their personal title while avoiding organisational and personal conflicts of interest with EHRI-ERIC.
2. The Advisory Board shall:
- a) offer advice to the General Assembly on the overall activities and policies of EHRI-ERIC by request or on its own initiative;
 - b) provide strategic advice and insights into relevant scientific trends, challenges, risks and opportunities relevant to the activities of EHRI-ERIC;
 - c) monitor and evaluate annually the activities and services of EHRI-ERIC and prepare an evaluation report for the General Assembly;
 - d) consult with the Director at least once a year on relevant EHRI-ERIC activities, services, policies and procedures.
3. The Advisory Board shall be appointed by the General Assembly for renewable terms of 3 years based on the Director's proposals.
4. The Advisory Board shall elect a Chair and a Vice-Chair from among its Members. The Chair shall convene and chair all meetings of the Advisory Board.
5. The Advisory Board shall meet at least once per year.
6. The Advisory Board may divide itself into specialised committees to address specific needs or perspectives of EHRI-ERIC.
7. The rules of procedure of the Advisory Board shall be approved by the General Assembly.

*Article 24***Steering Committee**

1. The General Assembly may decide to set up a Steering Committee.
2. The Steering Committee shall be composed of the Director, the Chair of the National Coordinators Committee and distinguished individuals with relevant expertise elected by the National Coordinators Committee.
3. The Steering Committee shall provide the Director with expertise on the different domains EHRI-ERIC is developing and advise on strategy and service development.
4. The Director shall be the Chair of the Steering Committee.

CHAPTER 7

FINANCIAL MATTERS*Article 25***Resources**

1. The resources of EHRI-ERIC shall consist of the following:
 - a) annual cash fee of Members and Observers according to Annex II;
 - b) a host premium from the country where the Central Hub is sited according to Annex II;
 - c) in-kind contributions from Members and Observers;
 - d) any other contributions, including donations and gifts within limits and under terms and conditions approved by the General Assembly and in compliance with applicable law and regulations.
2. Contributions and resources shall be used for pursuing the tasks and activities set out in Article 2 of these statutes.

*Article 26***Budgetary Principles, Accounts and Audit**

1. The financial year of EHRI-ERIC shall begin on 1 January and end on 31 December of each year.
2. The accounts of EHRI-ERIC shall be accompanied by a report on budgetary and financial management of the financial year.
3. EHRI-ERIC shall be subject to the requirements of the law of the country where it has its statutory seat as regards preparation, filing, auditing and publication of accounts.
4. EHRI-ERIC shall ensure that its resources are used in accordance with the principles of sound financial management.
5. EHRI-ERIC may adopt its own additional financial rules, to be approved by the General Assembly.

*Article 27***Tax and Excise Duty Exemptions**

1. VAT exemptions based on Articles 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC and in accordance with Articles 50 and 51 of Council Implementing Regulation (EU) No 282/2011, shall be limited to purchases of goods and services by EHRI-ERIC and its Members as defined in Article 9(1) of Council regulation (EC) No 723/2009 of June 25, 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC), that are for the official and exclusive use by EHRI-ERIC provided that such purchases are made solely for the non-economic activities of EHRI-ERIC in line with its activities. VAT exemptions shall be limited to purchases exceeding the value of EUR 300 excluding VAT.
2. Excise Duty exemptions, based on Article 11 of Council Directive 2020/262, shall be limited to purchases by EHRI-ERIC that are for the official and exclusive use by EHRI-ERIC provided that such purchases are made solely for the non-economic activities of EHRI-ERIC in line with its activities and that the purchase exceeds the value of EUR 300 excluding VAT.
3. Purchases by staff members are not covered by the above exemptions.

CHAPTER 8

FINAL PROVISIONS*Article 28***Data Policy**

1. EHRI-ERIC shall promote open source, open access and FAIR Data Principles.
2. Collection and use of EHRI-ERIC data shall be subject to European and national laws of personal data protection.
3. EHRI-ERIC shall provide guidance to users to ensure that research conducted using material made accessible through EHRI-ERIC shall be undertaken within a framework that recognises the rights of data owners and privacy of individuals.
4. EHRI-ERIC shall ensure that users agree to the terms and conditions governing access and that suitable security arrangements are in place regarding internal storage and handling.
5. EHRI-ERIC shall define arrangements for investigating allegations of security breaches and confidentiality disclosures regarding research data.
6. EHRI-ERIC shall ensure that the data providers, authors and the EHRI-ERIC logo are acknowledged in an appropriate manner.
7. EHRI-ERIC shall adopt a data policy, to be approved by the General Assembly.

*Article 29***Reporting to the Commission**

1. EHRI-ERIC shall produce an annual activity report, containing in particular the scientific, operational and financial aspects of its activities. The report shall be approved by the General Assembly and transmitted to the European Commission and relevant public authorities within six months from the end of the corresponding financial year. This report shall be made publicly available.
2. EHRI-ERIC shall inform the European Commission of any circumstances which threaten to seriously jeopardise the achievement of EHRI-ERIC tasks or hinder EHRI-ERIC from fulfilling requirements laid down in Regulation (EC) No 723/2009.

*Article 30***Applicable Law**

1. The internal functioning of EHRI-ERIC shall be governed by:
 - a) European Union law, in particular Regulation (EC) No 723/2009, as amended by Council Regulation (EU) No 1261/2013, and the decisions referred to in Articles 6(1)(a) and 11(1) of the Regulation;
 - b) by the law of the State where EHRI-ERIC has its statutory seat in the case of matters not, or only partly, regulated by European Union law;
 - c) by these statutes and their implementing rules.

*Article 31***Disputes**

1. In the event of a dispute or difference between the Members arising out of or in connection with the statutes, the General Assembly shall meet as soon as reasonably practicable to consult in good faith and seek to solve the dispute amicably.
2. The Court of Justice of the European Union shall have jurisdiction over litigation among the Members and Observers in relation to EHRI-ERIC, between Members and Observers and EHRI-ERIC and over any litigation to which the Union is a party.
3. European Union legislation on jurisdiction shall apply to disputes between EHRI-ERIC and third parties. In cases not covered by Union legislation, the law of the State where EHRI-ERIC has its statutory seat shall determine the competent jurisdiction for the resolution of such disputes.

*Article 32***Setting-up Provisions**

1. A constitutional meeting of the General Assembly shall be called by the host country as soon as possible after the Commission decision setting up EHRI-ERIC takes effect.
 2. Before the first meeting is held and no later than 45 calendar days after the European Commission decision setting up EHRI-ERIC takes effect, the host country shall notify the founding members and observers of any specific urgent legal action that needs to be taken on behalf of EHRI-ERIC. Unless a founding member objects within 5 working days after being notified, the legal action shall be carried out by a person duly authorised by the host country.
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ANNEX I

LIST OF MEMBERS, OBSERVERS AND THEIR REPRESENTING ENTITIES

MEMBERS

Country or Intergovernmental organisation	Representing Entity
Republic of Austria	Federal Ministry of Education, Science and Research of the Republic of Austria
Republic of Croatia	Ministry of Science and Education of the Republic of Croatia
Czech Republic	Ministry of Education, Youth and Sports
Federal Republic of Germany	German Federal Ministry of Education and Research
State of Israel	Ministry of Innovation, Science, and Technology
Netherlands	Dutch Research Council (NWO)
Republic of Poland	Ministry of Culture and National Heritage
Romania	“Elie Wiesel” National Institute for the Study of the Holocaust in Romania
Slovak Republic	Ministry of Education, Research, Development and Youth of the Slovak Republic
United Kingdom	Department for Science, Innovation and Technology of the United Kingdom

OBSERVERS

Country or Intergovernmental organisation	Representing Entity

ANNEX II

MEMBERS' AND OBSERVERS' CONTRIBUTIONS

Please see separate document *Financial Annex to the Statutes*
