

I

(Information)

COUNCIL

COUNCIL CONCLUSIONS

of 26 April 1994

on the role of the Joint Research Centre (JRC)

(94/C 126/01)

THE COUNCIL OF THE EUROPEAN UNION,

1. REAFFIRMS its resolution of 29 April 1992 on the JRC, and in particular:
 - the Community character of the JRC and its role in the achievement of the objectives of the Union,
 - the need for the JRC to pursue and reinforce its move towards a more competitive approach on the basis of a genuine customer/contractor relationship;
2. REITERATES that the JRC must contribute to Community research policy, particularly in those sectors in which it has special, if not unique, skills and in areas where its neutrality is essential for scientific and technical support for Community policies;
3. UNDERLINES the need to add a new approach for the JRC whereby it would progressively enter the competitive arena, generally in networks with other laboratories, in specific programmes under the framework programmes to which it can contribute, and for activities providing scientific and technical support for Community policies of a kind suitable for that competitive approach and emphasizes that funding decisions under the framework research programmes (1994 to 1998) should reflect that objective;
4. RECOGNIZES that to achieve that objective and to allow flexible and dynamic operation of the JRC, it is necessary to ensure a gradual transition and adapt existing rules and procedures;
5. CONSIDERS that any decision seeking to modify the orientation of the JRC must include an action programme which defines the fundamental objectives, thereby permitting an evaluation of progress achieved;
6. Therefore DECIDES that this transition should be introduced gradually and progressively during the period 1995 to 1998 and agrees that the proportion of JRC activities in the framework programmes to be transferred to the competitive system should average 22 % for the EC framework programme and 10 % for the EAEC framework programme for the period 1995 to 1998;
7. UNDERLINES the role of the Board of Governors of the JRC in implementing these conclusions and guidelines;
8. UNDERLINES the need to take due account of the results of the current evaluation of the JRC by independent experts;
9. ENDORSES the guidelines set out in the Annex which will be used to define the JRC's activities, in particular in the context of the framework research programmes (1994 to 1998);
10. ASKS the Commission to take the necessary measures to implement those guidelines as soon as possible:
 - by amending its internal rules each time that proves necessary,
 - by proposing all the necessary decisions on legal, budgetary, financial and administrative matters (including rules relating to personnel management) to the Council as soon as possible and in any event immediately after the adoption of the framework programmes (1994 to 1998);

11. UNDERTAKES to ensure the implementation of those guidelines by taking all the necessary decisions on the basis of the abovementioned Commission proposals as early as possible in 1994 so that they are applicable as from 1 January 1995;
12. CALLS upon the Commission to submit a report on progress in the implementation of these conclusions to the European Parliament and the Council in 1996, after obtaining the opinion of the Board of Governors, so as to enable the European Parliament and the Council to draw up an assessment of the situation;
13. STRESSES that the JRC needs to be better integrated in networks with partners belonging to all the Member States, both in its institutional and competitive activities. In particular the JRC should be a driving force in improving links between research laboratories and institutes in all the Community regions.

ANNEX

JOINT RESEARCH CENTRE

Guidelines

I. TYPES OF ACTIVITY

1. Institutional activities

These activities will be funded entirely from the framework programmes, as at present.

(a) *Institutional research activities*

RTD activities in which the JRC has expertise and special, if not unique, facilities in the Community which contribute to the implementation of the Union's research policy.

(b) *Institutional support activities*

Scientific and technical support activities necessary for the formulation and implementation of Community policies and of the tasks allotted to the Commission pursuant to the Treaties, which necessitate the neutrality of the JRC. While ensuring maximum flexibility, the financial resources earmarked for these activities will be entered in the research budget and administered by the Commission within a framework giving responsibility to the customer Directorates-General which will use the JRC as a service provider.

2. Competitive activities under the framework programmes

In the context of the transnational nature of Community research, JRC establishments may form networks with research institutes situated in any of the Member States, although this does not exclude cooperation with one institute only.

(a) *Participation of the JRC in shared-cost actions*

For these, the JRC, in association with partners in the Member States, will submit proposals in the context of invitations to tender issued by the Commission or will contribute to proposals submitted by other laboratories.

(b) *Competitive support measures*

Scientific and technical support activities for Community policies which are suited to a competitive approach in the context of a customer/contractor relationship. In this context, the JRC may respond to requests from Commission Directorates-General. The financial resources allocated to these activities will be entered in the research budget and the customer Directorates-General will be responsible for administering them and allocating them in a competitive framework.

3. **Competitive activities outside the framework programmes**

(a) *Activities on behalf of third parties*

These activities comprise the conduct of research and the supply of services under contract to third parties, including contracts secured in the context of Member States' RTD programmes.

(b) *Other Community activities*

The JRC will be able to participate in the various actions introduced by the Community (e.g. Phare, Tacis, developing countries, etc.) and, in the context of a competitive approach, will seek Community funding in relation to those actions.

II. BUDGETARY PROVISIONS

For its participation in competitive support activities in the framework programmes, the JRC will charge 100 % of its costs. In respect of other competitive activities, the JRC will take part in the same way and under the same conditions as organizations from the Member States.

Within the framework programmes (1994 to 1998), the JRC will be allocated an operational budget of an overall amount of ECU 900 million (ECU 300 million for nuclear activities and ECU 600 million for non-nuclear activities), which will cover the total funding of its institutional activities and, in the case of competitive activities, the costs not covered by shared-cost contracts. If additional funding is approved in accordance with Article 1 (3) of the decisions on the framework programmes, the JRC will receive a share proportional to its share of the present overall amount for the framework programmes, provided that, after evaluation, the European Parliament and the Council consider that the JRC is making satisfactory progress towards increased openness to competition.

III. REGULATORY PROVISIONS

Among the regulatory provisions referred to in paragraph 10 of the conclusions, the following in particular should be noted:

- amendments to the Financial Regulation, designed to introduce a genuine customer/contractor relationship,
- amendments to the nomenclature and structure of the Community budget,
- any necessary adjustments regarding personnel management,
- any amendments which may prove necessary to the Centre's accounting system.

IV. CONSEQUENCES FOR THE STRUCTURE OF FRAMEWORK PROGRAMMES

The Council takes note that the Commission will, where relevant, in each of the specific thematic research programme proposals describe the activities to be carried out by the JRC and specify the amount allocated to these activities, while respecting the statute of the JRC. These activities and these

amounts will be regrouped into two separate programme proposals for the JRC which the Commission will submit together with the specific thematic research programme proposals.

Each of the JRC programmes will set out institutional activities and determine the operational budget.

In order to ensure effective coordination between the Centre's institutional activities and the other activities provided for in the framework programmes, systematic exchanges of views will be held between the JRC, including the Board of Governors, and the committees for the specific programmes with due regard to their respective responsibilities. These exchanges of views are to take place so as to allow the committees to give the Commission their opinions on the various work programmes adapted on an annual basis, with which the Centre's activities must be coordinated.

The introduction of activities of a competitive nature into the JRC's work will begin as from 1 January 1995 and proceed in line with the framework programmes (1994 to 1998).
