

3 - ERIC Governance and Organisation

AnaEE as an RI has been evolving for many years. As part of this evolution, the governance has and will continue to evolve to ensure AnaEE can continue to move towards its implementation and operation, until the statutes are fully formalised.

The AnaEE Preparatory Phase (2012 to 2016) was funded by a European Commission grant from November 2012 to October 2016. As partners of the AnaEE PP, Research institutions, funders and universities have been preparing the governance principles in the view of building an ERIC. Since an ERIC is created by Member States, a step was needed to move the decision process from the AnaEE PP partners to Member States. This has been done by proposing to national authorities (e.g. funders and ministries at the governmental level) to sign a Letter of Intent (LoI), as described in section 3.1., which recognises the need to proceed towards an ERIC for AnaEE. It was decided that the signature of this LoI by a minimum of four countries would serve as the beginning of the “Pre-operational Phase” (POP), to make the transition between the AnaEE Preparatory Phase and the AnaEE Operational Phase, i.e. when the ERIC legal entity is formally established. In most cases, the signature of the LoI has been a direct output of AnaEE making it onto national roadmaps for research infrastructures (for countries which do have national roadmaps).

The POP will take place from 2016 to 2018 (or until the ERIC is formally established), and will function in a way aligned to AnaEE’s long-term ERIC governance, organization and services. The POP is critical to the success of AnaEE and in-kind commitment from potential partners of the ERIC is crucial to help move AnaEE further towards the ERIC as key decisions and progress will be made. The POP will allow AnaEE to:

- Continue work to implement the future governance and legal entity
- Establish the AnaEE Central Hub set-up team in the Host Country (section 3.2)
- Test operation and delivery of core activities and services while the long-term is finalized
- Further confirm the AnaEE platforms, access, data and IP policies.

Five countries have currently signed the LoI (BE, CZ FR, DK, ISR) with more to follow.

The Operational Phase (2018 onwards) will begin once at least five countries have signed the ERIC agreement. The ERIC agreement will contain details of the governance bodies, their operating rules, the funding model as well as the general ERIC tasks and activities.

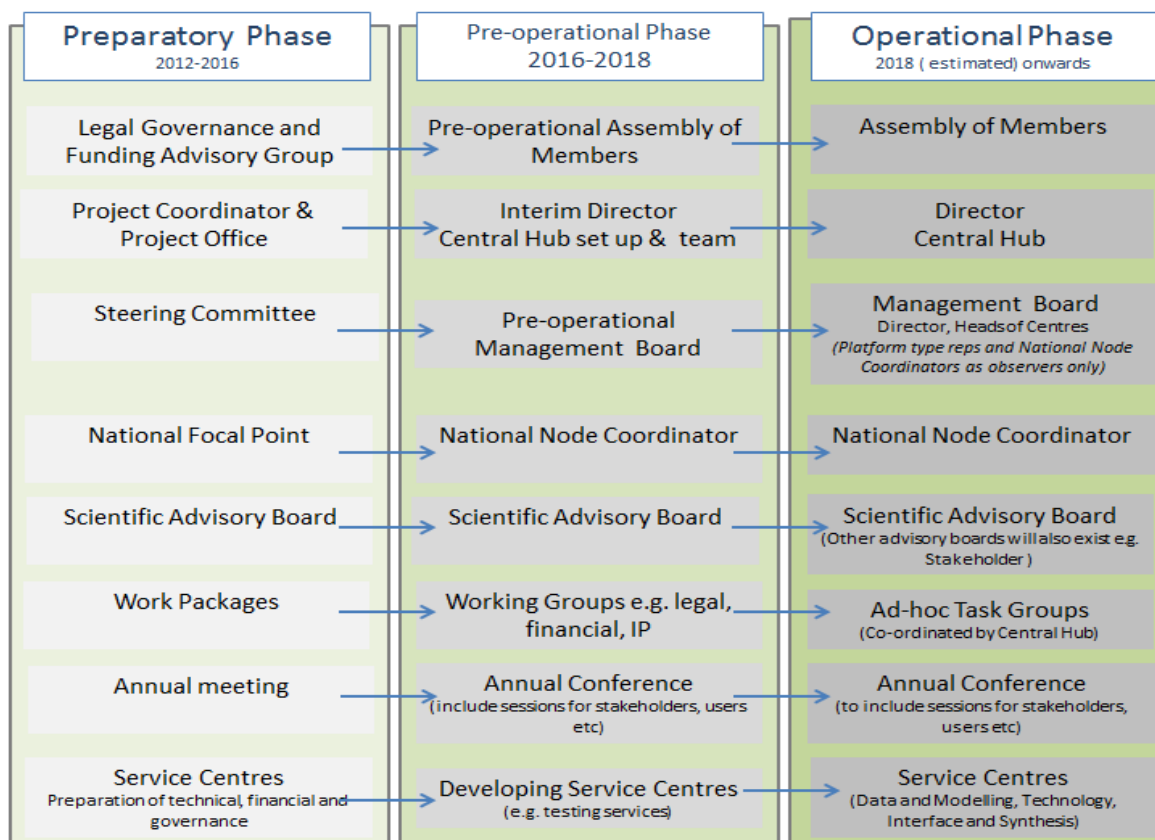


Fig 3.1: Evolution of AnaEE governance from Preparatory Phase to Operational Phase. Note that ‘Director’ stands here for ‘Director General’

3.1 Pre-operational Phase (POP) governance

3.1.1 Involvement of Member states

Letter of intent

To encourage participation and commitment from potential ERIC Member States, a Letter of Intent (LoI) has been drafted in consultation with ministries /funders and circulated for signature by the relevant signatory body for each country (at the national governmental level). The aim of the LoI is for each signatory country to:

- Recognize work done so far to progress AnaEE
- Declare its willingness to collaborate with the AnaEE consortium following the updated governance for the Pre-operational Phase
- Declare its willingness to participate in required working groups as needed
- Agree to cover costs of their own participation.

An essential feature of the POP is the contributions made at the national level. As part of the LoI, an optional Annex has been added for countries to include information on who within their country will work on AnaEE during the POP and how the national contribution to AnaEE will be coordinated. It is up to each country to decide how best to coordinate and organise the interface between the AnaEE bodies and the setup of national platforms contributing to AnaEE services and activities. Activities will require national participation expressed via representatives at the high-level decision making, management level and working group level as well as a single national point of contact. A consensual approach in a team spirit is desired at all levels of participation to

ensure that AnaEE operates as a truly European platform and it is not the expression of national scientific cultures.

Pre-operational Phase Members and Observers

Members of the POP are countries for which official government level representatives, entitled to represent the Member State, has signed the Lol and will therefore be able to fully participate in the relevant bodies. These countries will constitute the Pre-operational Assembly of Members, where they will have voting rights as part of the main decision-making body. Countries who intend to sign the Lol will be invited to attend as an observer however they will not have voting rights. Countries (or Intergovernmental Organisations) who wish to become an Observer will be requested to submit a written request to the Interim Director General of the POP. Observer status will be granted by the AoM, as appropriate, on a case-by-case basis, initially for a period of one year. Intergovernmental Organisations as well as Associated Countries of the EU are eligible to become a Member or Observer during the POP.

3.1.2 The governing bodies

The main components of the POP governance are described below with finer details to be agreed once the different bodies are in place. To enable moving to the PP to the POP, a Transition Team is in place to ensure the new governance, work to be done and timeline can be developed accordingly.

Interim Director and Central Hub set up team:

The Interim Director General and Central Hub set up team will be responsible for central service functions (e.g. secretariat, finance, communications and human resources). He/She will be selected on a consensual basis by the representatives of Lol signatories, on the basis of managerial and scientific merit, after consultation of the observers. The Central Hub set up team will coordinate and manage the Programme of Work according to decisions made by the Pre-operational AoM. The team will also prepare the legal and financial documents for the AnaEE legal entity and be responsible for managing the recruitment process for the long-term AnaEE Director General. The Interim Director General and set up team will be located in the Host Country of AnaEE.

Pre-operational Assembly of Members (POP AoM):

The POP AoM will be the main decision making body concerning all issues where progress must be made to enable implementation and operation of AnaEE e.g. decisions on the AnaEE statutes and funding commitments. The POP AoM will be made up of high-level members delegated by the Lol signatories (Member States) and will represent their national response. The POP AoM will consist of a two member delegation per Member State (a scientific and administrative representative) and each country will have one vote during this phase.

Scientific and Ethical Advisory Board (SEAB)

The SEAB will be made up of distinguished scientists and experts appointed in their own right (not as representatives of Member States). The SEAB will provide the AnaEE AoM with objective and independent advice and expertise, specifically of a scientific and technological nature. Considering the expected expertise and geographical location of its members, the SEAB may also provide advice of a strategic, technical, ethical and socio-economic nature, as and when required.

National Node and National Node Coordinator

The National Node will be made up of the national platforms and national platform managers. The National Node also consists of the personnel participating and providing national

representation in the different governance bodies. Each National Node will be overseen by a National Node Coordinator to ensure cohesiveness and one point of contact.

Pre-operational Management Board:

The POP Management Board is made up of the Interim Director General, Heads of Centres (once recruited), working Group leads and approved Platform Representatives, who will be initially co-opted. Following this, a formal process will be set-up to choose the representatives for each type of platforms, e.g. open-air platform representative, enclosed platform representative etc. National Node Coordinators will be invited at key meetings to ensure interactions at an operational level nationally and enable cohesion internationally. The key role of the POP Management Board is to develop an AnaEE strategy, provide recommendations for the Pre-Operational AoM to decide and subsequently support its execution by coordinating the interactions of the key elements of AnaEE and the national scientific communities.

3.1.3 Programme of work

A Programme of Work taking into account progress already made will ensure effective governance at the overarching level during the Preoperational Phase. The Programme of Work is a living document managed by the Transition Team/ Central Hub setup team and includes detail of work streams, timeline for deliverables, work stream leaders and groups required to progress AnaEE during the Pre-operational Phase. The Programme of Work will be routinely agreed by the main decision-making body for the Pre-operational Phase and implementation of the Programme of Work will be overseen at the management level. Main tasks will include:

- Writing ERIC statutes
- Preparing conventions between platforms of the Lol signatories and the ERIC
- Writing the profile of AnaEE ERIC Director General
- Preparing the terms of reference for the web portal of the Hub
- Lobbying towards countries for the ERIC

Where needed, specific Working Groups will be established to take forward work to continue to develop the legal, governance and funding framework for AnaEE as well as deal with issues such as recruitment, IP etc. Working group leaders will be chosen among the Lol signatories and experts from other countries will be invited as much as needed.

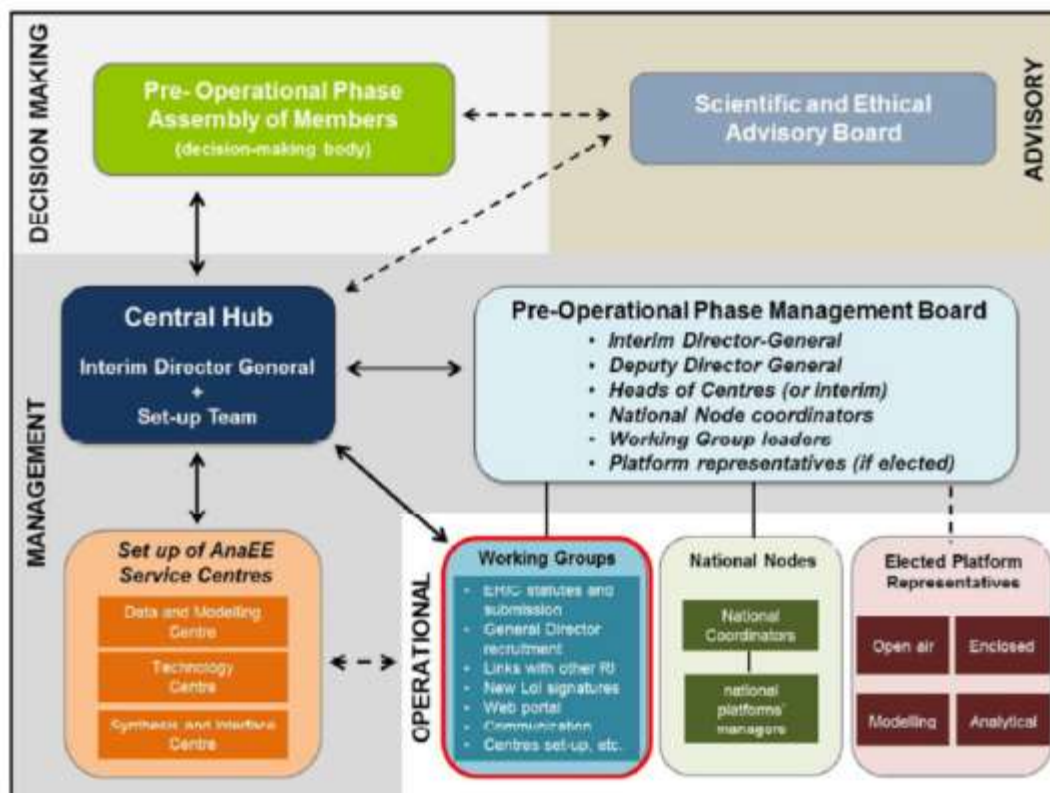


Fig. 3.2: AnaEE Pre-operational Phase Governance

3.2 -The Host Country Selection Process

AnaEE will be a distributed, pan-European RI and as part of this it will be made up of a Central Hub and three Service Centres previously described in (see Chapter 1). For AnaEE to become an ERIC, it will need to be located and registered in a Host Country. The Host Country will be responsible for the setup and location of the Central Hub which will form part of the AnaEE legal entity. The Service Centres will also be hosted by different countries with the intention that they will form part of the AnaEE legal entity. In order to identify the Host Countries, a selection process is taking place.

Selection Committee

To ensure an open and transparent selection process, an independent Selection Committee will be responsible for the evaluation of the applications submitted. The Committee comprises of individuals with relevant expertise to AnaEE including knowledge of scientific, management and involvement in large-scale RIs as well as data and modelling expertise. The Committee will provide a consensus report to the AoM that will take the final decision.

Selection Process

The Selection Process is a two-step process; the call for Host Countries launched at the same time for the Central Hub and Service Centres, however the deadlines for submission of application are staggered. The closing date for applications was set to June 10, 2016, for the Central Hub, and to Sept 30, 2016, for the Service Centres, to ensure the Central Hub can begin its setup timely. The following principles are crucial to ensure an effective selection process:

- The sites selection must provide long-term certainty, clarity, continuity and commitment to the scientific community involved in AnaEE;
- All the AnaEE Preparatory Phase Members qualify for handing in proposals to host the hub and one of the three supranational centres, but candidates will need to have signed the Letter of Intent (LoI) for the AnaEE Pre-operational phase for their bid to be finally selected;
- The selection is competitive, transparent, fair and directed towards reaching consensus among all Members.

3.3 The ERIC legal entity

The Community legal framework for the ERIC entered into force in 2009. The ERIC legal instrument was designed to facilitate the joint establishment and operation of research infrastructures of European interest. During PP, based on consultation with ministries and funders, the partners took the decision to pursue the creation of the ERIC as the legal entity to manage AnaEE. AnaEE will be implemented once the legal statutes have been negotiated and the ERIC has been signed by five or more countries and thus entering the Operational Phase. Development of the AnaEE statutes has begun and it is anticipated that AnaEE will apply for the Step One process to become an ERIC in 2017. For the AnaEE to become an ERIC, it must meet the requirements set out in the ERIC regulation:

- it is necessary for the carrying out of European research programmes and projects, including for the efficient execution of Community research, technological development and demonstration programmes;
- it represents an added value in the strengthening and structuring of the European Research Area (ERA) and a significant improvement in the relevant scientific and technological fields at international level;
- effective access, in accordance with the rules established in its statutes, is granted to the European research community, composed of researchers from Member States and from associated countries;
- it contributes to the mobility of knowledge and/or researchers within the ERA and increases the use of intellectual potential throughout Europe;
- it contributes to the dissemination and optimization of the results of activities in Community research, technological development and demonstration.

In consideration of the requirements for the AnaEE to become an ERIC, the AnaEE will be made up of the Central Hub, the Service Centres and the Management Board.

3.4 Operational Phase Governance

The governance of AnaEE as a whole is crucial to the sustainability and operation of AnaEE, even more so as the AnaEE is distributed with many components comprising of contributions at the national and European levels. The Operational Phase will feature key components to ensure the necessary linkages and interactions for AnaEE to operate effectively.

Decision-making level - the Assembly of Members (AoM) enables high-level, strategic decisions to be made for AnaEE. The AoM is made up of high-level senior officials with delegated authority to make decisions on areas such as the budget, programme of work and recruitment for the ERIC. Each country or participating entity will be made of two delegates (scientific and administrative). Voting rights will be decided at the time of writing the statutes, options to consider for modifications to above rule are the contribution of a country as a host of a supra-national entity

and/or the number of platforms contributed by a country, which could warrant for more than one vote for a particular Member State.

Management level - once key decisions have been made by the AoM; it will be up to the AnaEE Management Board to implement the actions in collaboration with the operational elements of AnaEE. The core of the Management Board will be the AnaEE Director-General, Heads of the Service Centres. Approved representatives for the platforms e.g. open-air platform lead, enclosed platform lead etc, National Node Coordinators or other AnaEE senior staff may be invited as observers and to ensure cooperation as appropriate. The Management will need to ensure good links with the operational components and personnel.

Operational level - the day to day technical operations of AnaEE will be undertaken by (1) the Hub (web portal, communication, budget) (2) the Service Centres for their respective areas and (3) the National Node for operations within each of the partner countries:

- **National platforms** - these are the platform contributions of the partner countries.
- **Service Centres** - the three AnaEE Service Centres have a key role for the full integration of AnaEE activities since they interact with all platforms and provide essential services to all platforms in their respective areas. The Centres will maintain close links with the platforms via workshops, meetings, etc as needed. This will involve the cooperation with elected platform representatives and/or national nodes depending on the activity.
- **National Nodes** - each National Node will have a National Node Coordinator who will be responsible for ensuring the link between national activity and activity at the European level. This will be particularly important to organise the access to platforms in connection with the Hub and the web portal for submission of projects. The National Nodes may also provide representation in AnaEE through the Assembly of Members and via interactions with the Heads of Centres and Platform Leads.

Advisory - AnaEE will need external advice from experts, within their field, on various aspects which are important to the development and operations of AnaEE. Potential Advisory Boards include scientific, stakeholder, legal and ethical, intellectual property and financial. These Boards will either be convened on a routine or ad-hoc basis as needed. The Advisory Boards will be administered by the Central Hub.

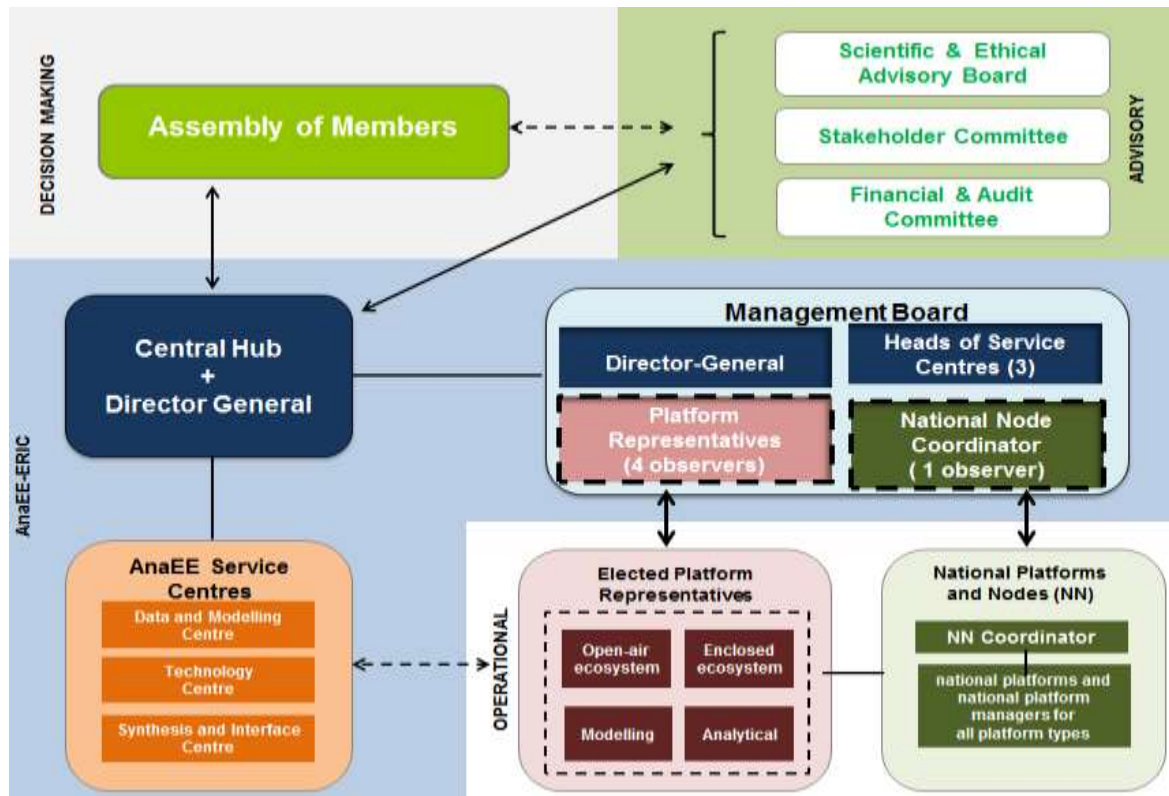


Fig 3.3: Draft Operational Phase Governance

3.5 How to join AnaEE

Who is AnaEE for?

In many EU countries, a strategic Research Infrastructure Roadmap has been developed as a tool for allocating national funds for those national or European RIs where the national shareholders see value-added for the State. The roadmap status is also linked to the commitment of the States to long-term support of national platforms, and is often considered a pre-requisite for a country's membership in ERIC. Table 5.3 includes the current situation of national roadmaps in AnaEE PP countries and those countries who have indicated their interest of joining AnaEE in later phase.

Member States, associated countries, third countries other than associated countries and intergovernmental organizations may become members of an ERIC, or observers without voting rights, subject to conditions and modalities specified in the statutes. Member States, associated countries and third countries other than associated countries, which are members or observers of an ERIC, may be represented by public entities, including regions or private entities with a public service mission, to exercise specified rights or fulfill specified obligations on their behalf.

The AnaEE Statutes envision two forms of membership depending on the levels of respective involvement and commitment. The ERIC statutes will state rules and timings when applying for membership and can generally be summarized as per below.

Members

Members will pay a membership fee based on the agreed funding model. Full members will have voting rights plus full access to AnaEE platforms and services. Upon the ERIC being established, new countries will be able to join according to Membership Rules stated in the ERIC statutes (to be determined). To become a Member of AnaEE, a case will need to be made and sent to the AnaEE Director-General, who will then verify the case in terms of the required criteria and

forward the assessment to the Assembly of Members for the final decision. It is intended that potential new Members will already be an Observer of AnaEE and will therefore be in a position to demonstrate their understanding of the AnaEE mission and objectives.

Observers

Observers will be able to attend the Assembly of Member meetings to keep informed of AnaEE progress however will not have any voting rights. Member States or Intergovernmental Organizations who wish to become an Observer will be requested to submit a written request to the AnaEE Director General, which will then be considered on a case-by-case-by the Assembly of Members. Where appropriate, observer status will be granted on a case-by-case basis, initially for a period of two years. A case for renewal will need to be made following the end of the period.

3.6 Access to national platforms

Access to AnaEE national platforms will be facilitated by the AnaEE Central Hub according to access policy principles decided by the Assembly of Members. Early contact from potential users is encouraged using short *concept notes* submitted electronically through the AnaEE portal or through informal discussions with Hub staff or with national AnaEE facilities. Regular advertising of *calls for proposals* solicit new proposals for consideration. The AnaEE Hub will offer assistance through relevant channels to help identify funding opportunities and develop collaborative applications.

The scheduling and allocation of complex multi-site experiments to particular facilities are potentially complex logistically and require discussion with the site managers and for large scale studies. A formal application procedure needs to be managed through the Central Hub. The key stages in this process will be:

1. The **feasibility stage** where the proposal is circulated to the relevant facilities for an assessment of the scientific excellence, technical feasibility and the available capacity to run the experiment or estimates of when the capacity would become available. At the end of the feasibility stage a short report and likely costs are provided to the user so that they could confirm available funding or prepared the necessary application for funding from national or international agencies. The feasibility stage may require several iterations with facilities, Hub and proposer to find the best compromise between cost and experimental power.
2. The **planning stage** when more detailed preparatory work begins, to secure research funding if that is not yet available, and to develop the collaboration agreement(s) with the Hub and to prepare the Data Management Plan with the Data and Modelling Centre. During the planning stage, the Hub will be in close touch with the user and the site managers to help schedule the required period of access and associated research services. A project may enter (or be requested by the Central Hub to enter) a **holding stage** at any time during the planning stage to allow the necessary time to secure funding or complete negotiations.
3. The **implementation stage** will begin directly or following the planning schedule once funding is available.
4. At the end of the project a **Completion Report** will be requested from the user to gather feedback on aspects of AnaEE operations, the contribution to the project by the Service

Centers and the Hub and gather data which may be used in the assessment of Key Performance Indicators for AnaEE. The completion report will also confirm the timetable for final release of project data and any publications that are expected from the research.

AnaEE will offer a simplified access process with shortened feasibility and planning stages for access to a single facility; although preparation of a Data Management Plan and a Completion Report remains mandatory. If funding is secure and capacity on the platform is available for the duration of the experiment then the implementation can begin as soon as practicable.