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WORKING DOCUMENT

From: General Secretariat of the Council
To: ERAC (European Research Area and Innovation Committee)

Subject: ERAC Discussion Paper - ERA Policy Agenda

Delegations will find attached document on the above mentioned subject with the view to the meeting of the European Research Area and Innovation Committee (ERAC) on 12-13 April 2022.

ERAC Discussion Paper - ERA Policy Agenda

On 26 November 2021 the Council adopted Conclusions on the future governance of the European Research Area (hereinafter called “the Conclusions”). With these Conclusions, the Council agreed on the “common ERA Policy Agenda for 2022-2024”. In paragraph 12 of the Conclusions, the Council “invites ERAC to provide its views on the ERA Policy Agenda by April 2022, in order to facilitate Member States and where applicable associated countries to identify within the first semester 2022 the ERA actions in which they wish to participate”. In order to meet this request of the Council, ERAC will hold a strategic debate at its meeting of 12 and 13 April 2022 in Strasbourg. The outcome of this debate will lead to an ERAC opinion on the ERA Policy Agenda 2022-2024.

The purpose of this discussion paper is to prepare the strategic debate of ERAC on the ERA Policy Agenda. It introduces some of the key issues for the new ERA with a view to guiding the discussions of the delegates and helping Member States decide by mid-2022 which actions to join. The issues to be discussed are the following:

- **What “commitment” means**

Question 1: Do you agree that “commitment” means actively participating in the implementation of an ERA Action and requires identifying specific activities to be carried out at national level?

- **How commitment is expressed**

Question 2: Do you agree with the procedure described for Member States and where applicable associated countries to identify within the first semester 2022 the ERA actions in which they wish to participate?

Question 3: How do you envisage to prepare and mobilise internally in order to identify the actions in which your country will participate?

What “commitment” means

In principle, the entire policy coordination process as defined by the Pact for R&I is of voluntary nature. Every Member State can decide not to participate and to act solely at national or regional level. Nonetheless, it is important to apply the principle of coordination, coherence and commitment¹, as well as the principle of subsidiarity², when designing the ERA Actions. This

¹ Coordination, coherence and commitment: Member States bring the European dimension into national and regional R&I policies and ensure greater national buy-in and commitment to successfully implementing the ERA priorities. Member States, with the Union’s support, coordinate their R&I policies and programmes in areas of common interest, including by ensuring complementarity and fostering synergies with the Union framework programmes for R&I and other Union programmes and funds, thereby facilitating transnational cooperation in the ERA, and direct R&I investments and reforms towards achieving the ERA and speeding up the green transition and digital transformation - Council Recommendation (EU) 2021/2122 of 26 November 2021 on a Pact for Research and Innovation in Europe, paragraph 1(g).

² Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States,

would not only help to filter out possible activities where there is little or no European added value, it would also highlight the manifold advantages that joint or coordinated action at European level can have.

In implementing ERA actions, it has to be clear where action is necessary at European level, and where we consider it necessary to act together or in a coordinated manner. It also has to be clear who does what, that is, who are the actors who intervene and at what level. Finally, it is important to define for each ERA action the most appropriate interaction and collaboration mechanisms between the main actors and their different levels.

Furthermore, the Conclusions require that ERA actions "*secure the commitment of at least half of Union Member States representing a critical mass in order to ensure a broad political support and to provide opportunities beyond the participating States to benefit all Member States*" (para. 10).

It will not be possible to achieve a more effective ERA and make progress with the Policy Agenda without an active participation of Member States and associated countries in the ERA Actions. Therefore, committing to an ERA action should not mean "We find this action interesting", but rather: "We think it is important to act in this field, and yes, we will actively participate in the implementation of this action".

The ERAC opinion could recommend applying the principles of coordination, coherence and commitment and subsidiarity in the process of implementing the ERA Policy Agenda. Furthermore, ERAC could recommend to Member States to identify clear activities for participating in the implementation of ERA actions.

Question 1: Do you agree that "commitment" means actively participating in the implementation of an ERA Action and requires identifying specific activities to be carried out at national level?

How is commitment is expressed

As requested by the Council in the Conclusions (para. 12) the Commission services have provided explanatory documents for the 20 actions in the ERA Policy Agenda. The ERA Forum has subsequently proceeded to examine these documents and to discuss the policy design of the 20 ERA Actions. At the same time, Member States and where applicable associated countries will need to decide in which actions they wish to participate and how they intend to do so.

First, this will require the Commission preparing with the ERA Forum an adequate template that will facilitate Member States' expression of their commitment to specific ERA actions. The

either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level (Article 5(3) TEU).

Commission would then share this template with ERAC members, and representatives of associated countries, who could thus express their commitment to specific ERA actions.

Second, expressing commitment to implementing specific ERA Actions will require an internal coordination process, in order to identify specific activities to be carried out. This is particularly important considering the thematic range of the actions in the ERA Policy Agenda, which addresses the green and digital transitions and intersects research and innovation with other policies (such as higher education and industrial policy). It also improves the modes of collaboration between R&I actors and actors in the various sectoral fields (for example in sub-action 11 on the ERA "ERA4FutureWork", which will engage Social Partners and Employment ministries, the R&I missions or the green hydrogen pilot initiative).

The ERAC opinion could provide guidance, both to the ERA Forum and to the Member States, regarding the process of expressing commitment to the actions in the ERA Policy Agenda.

Question 2: Do you agree with the procedure described for Member States and where applicable associated countries to identify within the first semester 2022 the ERA actions in which they wish to participate?

Question 3: How do you envisage to prepare and mobilise internally in order to identify the actions in which your country will participate?

Next steps

Following the discussion in ERAC, the ERAC Steering Board will prepare a draft "ERAC opinion on the ERA Policy Agenda", reflecting the views expressed by the members. The draft opinion will be circulated to the ERAC members and adopted by written procedure.

At the next ERAC meeting, the Commission will report on the implementation of the "ERAC opinion on the ERA Policy Agenda" as well as on the activities of the ERA Forum.

Background

ERAC's views on the ERA Policy Agenda 2022-2024

The ERAC opinion on the ERA Policy Agenda 2022-2024 cannot address the details of the 20 ERA actions. The policy design for the ERA actions as well as the coordination of their implementation are tasks of the ERA Forum. The Conclusions state in this respect:

16. *RECOGNISES the role of the ERA Forum, including its possible sub-groups, as the body, established by the Commission, responsible for enhancing coordination towards the effective implementation of the ERA Policy Agenda, supporting the Commission and the Member States in the delivery of the ERA Actions; CONSIDERS that the ERA Forum should:*
- *co-design and coordinate among the Commission and the Member States on the preparation of Commission's initiatives with regard to future updates of the ERA Policy Agenda and discuss alignment with other policies;*
 - *co-design and coordinate the implementation of the ERA actions among the Commission, Member States and, on a case by case basis, associated countries, stakeholders, as well as relevant third countries;*
 - *analyse the monitoring and evaluation of the implementation of the ERA Policy Agenda through the ERA Scoreboard and the information provided through the ERA policy platform, and contribute to the Commission's work in preparing a report to the Council;*
 - *act as a facilitator for the preparation of additional candidate ERA Actions in variable geometry, with support from the Union where appropriate, as well as for the exchange of best practices on national ERA policies and measures;*

In addition to this clear political guidance, it would not be possible for ERAC to enter into a detailed discussion of the individual ERA actions from a practical and timing point of view, either.

The ERAC opinion on the ERA Policy Agenda as requested by the Council could therefore address the two issues identified above: what commitment means and how commitment is expressed.

Genesis and context of the first ERA Policy Agenda

Drafting of the ERA Policy Agenda was only possible after the text of the Pact for R&I in Europe (hereinafter called "the Pact"), which is the basis for the current and future ERA Policy Agendas, had reached a certain stability. To keep the momentum for the new ERA, it was also agreed that the first ERA Policy Agenda should be adopted before the end of 2021. As a consequence, the first ERA Policy Agenda had to be prepared within only a few months, between summer and November 2021. Due to this tight schedule, it was not possible to define the details of the ERA actions, timeframes, priorities or responsibilities. It was therefore decided that the Policy Agenda 2022-2024 would merely be a list of the ERA action topics with a very brief description of the expected outcomes. The 20 ERA actions were then to be drafted in co-creation between Member

States and the Commission in the ERA Forum for Transition, and on the basis of comprehensive input from the Commission and additional proposals from Member States.

The introduction to the ERA Policy Agenda 2022-2024 describes it as follows:

This ERA Policy Agenda sets out a catalogue of voluntary ERA actions for the period 2022-2024 to contribute to the priority areas defined in the Council Recommendation on a Pact for Research and Innovation in Europe. It is a first step to addressing comprehensively the priority areas set out in the Pact. Member States and associated countries are invited to identify in which actions they wish to participate and to determine how these actions should be addressed at national level. Subsequent editions of the ERA Policy Agenda will further complement these actions in the long term.

According to this definition, the first ERA Policy Agenda 2022-2024 is “a first step to addressing comprehensively the priority areas set out in the Pact”. It does not fully meet the requirements for ERA Actions as set out by the Conclusions:

10. *The ERA actions are identified in the ERA policy agenda with a view to ensuring impact, credibility and effectiveness of the new ERA, and their actual implementation should aim at fulfilling the following criteria:*
 - *Relevance: address at least one of the priority areas identified in the Council recommendation on a Pact for R&I and ensure clear added value of joint action;*
 - *Viability: clearly set out their objective, timing, milestones, actors, and funding as well as anticipated contribution to realisation of ERA;*
 - *Commitment: secure the commitment of at least half of Union Member States representing a critical mass in order to ensure a broad political support and to provide opportunities beyond the participating States to benefit all Member States;*

Due to the time constraints outlined above, the criteria “viability” and “commitment” have not yet been applied to the ERA Policy Agenda 2022-2024. These criteria will have to be addressed now and in the coming months, mainly within the framework of the ERA Forum.