



# **EOSC post-2027: Integrated scenarios**

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# Integrated scenarios

- **All tasks** (Task 1-5) implemented via **indirect management** by an external entity
- A **single organisation** is in charge of the **operation and development of the EOSC SRIA post-2027**
- Scenarios **mainly based on the use of grants and/or procurement** as part of the **legal entity's Work Programmes**

## Integrated scenarios: 3 options

- a) Task 1 to 5 implemented as an **Article 185** of the Treaty on the Functioning of the EU with a **new private law body with a public service mission** including Member State organisations
- b) Tasks 1 to 5 implemented as an **Article 187** of the Treaty on the Functioning of the EU with a **new EU body in charge of a Joint Undertaking**
- c) Tasks 1 to 5 implemented with a **private law body with a public service mission**

*\* All these models are also applicable to a hybrid scenario*

## New private law body with a public service mission (Article 185 – P2P)

- Typical focus on **major long-term strategic challenges and priorities beyond the period of a single Framework Programme** where **collective action is necessary to achieve critical mass** and address the full extent of the complexities of the ecosystem concerned
- May **only** be proposed by the EC in cases where there is a need for a “**Dedicated Implementation Structure**” and where the **Participating States demonstrate that they are committed to integrating** (rather than coordinating / at least 40% of MSs) **their R&I efforts by defining and committing themselves to a joint programme**
- **Political commitment required at the highest level** in the Ministries of Science, R&I
- The legal basis is a **Decision of the EU Parliament and Council, based on a proposal by the EC** and the **DIS is subject to an ex-ante assessment**
- The financial and/or in kind, contributions from partners other than the Union, will **at least be equal to 50% and may reach up to 75% of the aggregated EU Partnership budgetary commitments.**
- **Annual Work Programmes** for all activities to be implemented by the DIS are **subject to EC’s approval**
- The typical governance includes, a **General Assembly** (countries + EC as observer), an **Executive Board**, a **Scientific Advisory Board** and an **operational management unit**

# New EU body in charge of a Joint Undertaking (Article 187)

- Typically supporting the **execution of Union research, technological development, and demonstration programs**
- Foreseen for activities **where other forms of EU Partnerships would not achieve its objectives or impact, and if justified by a long-term perspective and high degree of integration**
- Long-term commitment expected **much larger than for any of the other options**
- Allows the **integration of national and Union funding into the joint funding of projects**. Horizon Europe rules apply by default, so **any legal entity can apply to the calls launched by a JU**
- **It can include all types of partners:** Member States & Associated Countries (flexible participation), public partners, private partners (while operating for the general public interest), or foundations
- The financial and/or in kind, contributions from partners other than the Union, will **at least be equal to 50% and may reach up to 75% of the aggregated EU Partnership budgetary commitments**.
- The **strategic R&I roadmap** is agreed between MS, other partners and the EC. The annual work programme is **drafted by the partners and approved by EC which has veto right**.
- The EU, represented by the **EC**, is **part of the Governing Board with 50 % of the voting rights**. Scientific and (if relevant) Industrial Advisory Boards can be put in place to represent the community.
- A JU can **benefit from VAT and excise duties on its purchases in all EU MSs and may adopt procurement procedures not subject to the Directive on public procurement as implemented in national law**. This feature provides an interesting route to **joint public procurement and ownership of shared European operations**

# Private law body with a public service mission

- A single external organisation, other than a EU Partnership established along Articles 185 or 187, being **responsible for ensuring management, financial and scientific integration** of the 5 Tasks
- Be **established in one of the EU Member States** to ensure EU interests and long-term sustainability
- **Allow for co-financing** of the operation of the organisation itself and the **implementation of the five EOSC Tasks by a single organisation**
- Because the organisation will be **entrusted with EU budget, it shall be “pillar-assessed”** as foreseen by the EU Financial Regulation.
- Ensure that **Participating States and the EC play a key role in governance and decision making** to safeguard EU and national interests of those who would Co-fund the organisation and to link EOSC implementation firmly into the European policy process
- **Ensure a user-centric and community-driven EOSC** by setting up mechanisms to collect views and feedback from the EOSC user community
- **Act as an authority over EOSC compliance framework(s), enforcing common EOSC policies, managing EOSC assets and trademarks, ensuring long-term evolution and continuity of operations**

# Summary

	Article 185	Article 187	Private law body with public service mission
Suitable for integration of R&I effort & joint developments	✓	✓	(✓)
Suitable for policy development	✓	X	(✓)
Clearly defined management and accountability	✓	✓	✓
Sustainability	✓	✓	(✓)
Countries' political & financial commitment	High, Legal requirement (40%MSs)	High, Flexible participation	Medium, Flexible participation
Open for other stakeholders as members	X	✓	✓
Decision Making	Participating countries	Members + EC (50%)	(✓)
Offers alternative ways to deal with VAT, excise duties, procurement procedures	X	✓	X
Reasonably easy and fast to establish	X	X / ✓	(✓)

✓ = YES

(✓) = Depends on the choices made

X = No

# Preliminary reflections

- Relying on a single organisation is the **best approach to avoid coordination issues and overheads (integrated R&I programmes / developments)**
- The integrated scenarios ensure a **clearly defined management structure and accountability**
- The integrated scenarios (in particular article 185 and 187) require **strong financial and political commitment by the EU and the participating MSs / ACs** (long term sustainability & commitment vs high costs for establishment & implementation)
- The JU provides an interesting route to **joint public procurement and ownership of shared European operations**