INT/664
International cooperation in research and innovation

Brussels, 16 January 2013

OPINION
of the
European Economic and Social Committee
on the
Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Enhancing and focusing EU international cooperation in research and innovation: A strategic approach
COM(2012) 497 final

Rapporteur: Mr Wolf
On 14 September 2012, the Commission decided to consult the European Economic and Social Committee, under Article 304 of the Treaty on the Functioning of the European Union, on the

*Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Enhancing and focusing EU international cooperation in research and innovation: A strategic approach*


The Section for the Single Market, Production and Consumption, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 8 January 2013.

At its 486th plenary session, held on 16 and 17 January 2013 (meeting of 16 January 2013), the European Economic and Social Committee adopted the following opinion by 133 votes to 1, with 2 abstentions.

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1. **Summary**

1.1 The success of research and innovation is the key to Europe's global competitiveness and thus provides the basis for jobs, social services and prosperity. The Horizon 2020 programme covers the urgently-needed development measures which the EU plans to take in this area. International cooperation with partners in non-EU countries is one aspect of this.

1.2 International cooperation has a broad favourable impact on progress in this area among the partners involved, and on understanding between nations.

1.3 However, its usefulness for Europe is very much dependent on the attractiveness of the European Research Area as well as the prestige and the performance of European universities, research institutions and businesses, including SMEs. One of the key objectives of the Europe 2020 strategy is to ensure that the necessary conditions for that strategy are put in place in Europe.

1.4 It is therefore all the more urgent, in the light of the current economic and financial crisis, to implement an anti-cyclical European support policy and to use all available financial and structural means to support the European Research Area, the foundations on which it is built and its international dimension, and to make it attractive and spare it from cuts. The Horizon 2020 budget must not be misused as a plaything for various conflicts of interest.
1.5 The main objective of framework agreements with partner countries is to create a level playing field with reciprocal rights and obligations. Apart from that, cooperation partners are not to be restricted by European rules any more than is strictly necessary for European interests. Creativity requires freedom.

1.6 Under the subsidiarity principle, project-related cooperation agreements should be carried out by those stakeholders who are themselves involved in the relevant cooperation project or are responsible for it as organisations.

1.7 Large-scale research infrastructures and demonstration projects may exceed the capacities and potential needs of a single Member State (and perhaps even the EU as a whole), and may therefore require the direct involvement of the Commission.

1.8 A condition for successful international cooperation projects is reliability, continuity and contingencies for their entire duration. This requires that special precautions be taken. In addition, adequate mobility of the experts involved must be guaranteed and promoted.

1.9 International cooperation is not an end in itself, but brings workers together and must be based on the added value expected to be achieved in each case. It should not develop into a political vehicle of Commission external policy.

1.10 The leitmotiv must be the EU's own interest as well as strengthening the European Research Area and Europe's capacity for innovation. Therefore European-funded cooperation with partners from developing countries should be funded preferably using the development aid budget.

1.11 For European cooperation partners, it is a significant economic disadvantage that there is still no EU community patent to safeguard intellectual property. The Committee calls on the Parliament, the Commission and the Council to support the planned moves towards a European patent with unitary effect and to finally break the impasse. In this connection, a grace period should also be introduced in Europe.

1.12 Information on the implementation of the strategic approach is not to be obtained by using new instruments, but rather by using, among things, the European Semester.

2. Gist of the Commission communication

2.1 The communication sets out the reasons for international cooperation in research, development and innovation as well as its strategic goals and some of the practices pursued. International cooperation is understood to mean cooperation with partners outside the EU.
2.2 The highlighted objectives are as follows:

a) **to strengthen the Union’s excellence and attractiveness in research and innovation as well as its economic and industrial competitiveness** – by accessing external sources of knowledge; by attracting talent and investment to the Union; by facilitating access to new and emerging markets; and by agreeing on common practices for conducting research and exploiting the results;
b) **to tackle global societal challenges** – by developing and deploying effective solutions more rapidly and by optimising the use of research infrastructures;
c) **to support the Union’s external policies** – by coordinating closely with enlargement, neighbourhood, trade, Common Foreign and Security Policy (CFSP), humanitarian aid and development policies and making research and innovation an integral part of a comprehensive package of external action.

2.3 The new strategic approach to international cooperation in research and innovation should be characterised by:

- Horizon 2020 being fully open to third country participants, allowing European researchers to cooperate with the best brains across the world;
- targeted international cooperation activities with the scale and scope necessary to maximise impact;
- the development of multi-annual roadmaps for cooperation with key partner countries and regions;
- reinforcing the partnership between the Commission, the Member States and relevant stakeholders;
- promoting common principles for the conduct of international cooperation in research and innovation;
- enhancing the role of the Union in international organisations and multilateral fora;
- strengthening implementation, governance, monitoring and evaluation.

3. **General comments**

3.1 The success of research and innovation is the key to Europe's global competitiveness and thus provides the basis for jobs, social benefits and prosperity. The Horizon 2020 programme covers the urgent development measures which the European Commission plans to take in this area. International cooperation is one aspect of the Horizon 2020 programme.

3.2 International cooperation in research and innovation has a broad favourable impact on progress in this area among the partners involved, and on understanding between nations. This applies not only within the European Research Area, but also right across the world and
thus to the subject under consideration here. The Committee reiterates its earlier recommendations on this subject\(^1\).

3.3 The Committee therefore welcomes the Commission's new communication and, for the most part, supports its goals and the arguments it puts forward.

3.4 The European negotiating positions at the outset of partnerships as well as the usefulness of international cooperation for the EU are very much dependent on the attractiveness of the European Research Area as well as the prestige and the performance of European universities and research institutions as well as the innovation capacity of businesses, including SMEs.

3.5 One of the key objectives of the Europe 2020 strategy is to ensure that the necessary conditions for that strategy are put in place in Europe. It is therefore all the more urgent, in the light of the current economic and financial crisis, to implement an anti-cyclical European support policy, in other words not to make cuts in this area and instead to use all available financial and structural means to support the European Research Area, the foundations on which it is built and its international dimension, and to make it attractive. For precisely that reason, however, the Horizon 2020 budget must be financed at the very least on the scale proposed by the Commission. The Committee therefore reiterates the request it has repeatedly made to the European Parliament and the Council that they should not allow any cuts in this area and not misuse this budget as a plaything for conflicts of interest.

3.6 Successful research and innovation does not thrive in all Member States equally. The Committee reiterates the request it has made several times that those Member States in the European Research Area which at present do not have enough research institutions and innovation developers of excellence should eliminate this disadvantage as quickly as possible with the help of the Structural and Cohesion Funds and should facilitate the development of a sufficient number of outstanding researchers and innovative entrepreneurship through successful support and economic policies. Only this can give practical expression to the useful concept of "Teaming of Excellence"\(^2\). The Committee therefore also urges all Member States (and, where relevant, the private sector too), for their part, to finally meet the targets of the Lisbon Strategy – now also incorporated in the Europe 2020 strategy – by investing 3% of GDP in research and development.

3.7 One of the Commission's declared goals is that Horizon 2020 should be "fully open to third country participants, allowing European researchers to cooperate with the best brains across the world". This possibility has of course existed for many decades\(^3\) and is used actively. The Commission should therefore spell out the current situation more clearly. It should explain

\(^2\) See for example Peter Gruss in Max Planck Forschung 3/12, p. 6, ISSN 1616 – 4172.
which new resources it intends to use to achieve any additional freedoms and what is to be newly permitted and supported.

3.8 As important support measures for successful international cooperation, the Commission proposes that framework agreements be established with potential partner countries. In the Committee's opinion, these agreements should be geared first and foremost to particularly innovative, successful and competitive industrial states. These framework agreements – by analogy to the free trade agreement – should above all ensure a level playing field with reciprocal rights and obligations. Apart from that, potential partners should not be restricted by European rules any more than is strictly necessary for European interests.

3.9 Framework agreements must avoid all irrelevant considerations and influences and allow enough flexibility and freedom so that agreements can be tailored as effectively as possible to individual cases and their starting situation. Creativity requires freedom of action.

3.10 It is particularly important to ensure adequate reliability, continuity and contingencies for the entire duration of the cooperation projects. This is a challenging task and requires that special precautions be taken.

3.11 According to the principle of subsidiarity, cooperation agreements should be carried out by those stakeholders who are themselves involved in the relevant cooperation project or are responsible for it as organisations.

3.12 For its part, the Commission should become directly involved only in those cases in which the potential of an individual Member State, business or research organisation is insufficient, e.g. major scientific and technical projects. However, where the Commission does become involved it should also assume responsibility. The Committee recalls that large-scale research infrastructures and demonstration projects in particular may exceed the capacities and potential needs of a single Member State (and perhaps even the EU as a whole) and therefore require greater involvement from the Commission.

3.13 However, most forms of international cooperation develop through personal contacts between researchers, research groups, businesses (including SMEs) and research organisations, which are normally established and cultivated at international specialised conferences and fairs. These forms of self-organisation must be identified, recognised and used, and promoted more strongly. The Committee finds it regrettable that the recommendations it has repeatedly made in this connection have so far met with no discernable response from the Commission.

3.14 Adequate mobility of experts taking part in cooperation projects is a condition for their success. This aspect should be developed by the Commission, possibly along the lines of the rules and development models for intra-European mobility.

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4 See in particular OJ C 181, 21.6.2012, p. 111, point 4.3.1
The Committee is concerned (point 5 of the Commission communication) that international cooperation could develop into a political end in itself for the Commission or a vehicle of Commission external policy. However, cooperation is not an end in itself and requires further effort, which is justified exclusively by the increase and multiplication of knowledge and skills as well as the fruits of innovation. For this reason, such cooperation projects should not involve more parties than can contribute added value.

This is not just a question of resource distribution priorities, but also the administrative effort required. Although the time and effort required within Europe to implement Horizon 2020 can hopefully be reduced through the simplification measures announced\(^5\), it still takes up a significant proportion of scientists' and researchers' time. Supplemented this now with international cooperation measures, which may be subject to overly formal procedures, runs the risk of making the bureaucracy bloated once again.

Another concern is the use of the financial resources of Horizon 2020, which unfortunately are still too limited. If these funds go to third countries outside the EU, they will automatically be withdrawn from the European Research Area. In all cases, priorities must be weighed up carefully, not least given the considerable need of EU Member States to catch up. Therefore such cooperation projects, which are primarily about development aid, should preferably be funded using the development aid budget.

The Commission communication also touches on the issue of intellectual property, citing it as a reason for a "European" approach. If basic research is involved, it is primarily a question of acknowledging the chronological priority of a new discovery or findings. However, even in the transition to application, the question of a possible invention's patentability naturally comes into play.

For decades there has been a festering European sore in this area: there is still no EU Community patent. For all businesses and especially SMEs in the EU this leads either to multiple costs in comparison to their non-European cooperation partners (in the USA, for example) or even to a patent being abandoned, i.e. the loss of patent protection. The Committee calls on the Parliament, the Commission and the Council\(^6\) to fully support moves towards a European patent with unitary effect, which are due to take place in the near future, and to finally break the impasse. It welcomes the European Parliament's resolutions on the subject\(^7\). In this connection, a grace period\(^8\) should also be introduced in Europe.

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\(^5\) See OJ C 48, 15.2.2011, p. 129, point 1.2

\(^6\) Council of the European Union, 23 June 2011 - 11328/11.


\(^8\) See INT/668 - CES2282-2012_00_00_TRA_AC, point 3.4.
3.19.1 Furthermore, the intellectual property rules associated with international Joint Technology Initiatives should be discussed again and reviewed.

4. Specific comments

4.1 According to the Commission proposal, the list of countries eligible for automatic funding is to be restricted, by complementing the current selection criterion, based solely on GNI per capita, with an additional criterion based on total GDP, excluding countries above a defined threshold.

4.1.1 In the Committee's view, this should be approached in a more nuanced way. The main criterion for EU-subsidised cooperation with selected citizens from outside the EU should exclusively be that European organisations, businesses and SMEs, scientists and researchers have a specific interest in acquiring the associated know-how or a need to do so. The main focus must be on supporting the European Research Area. Even if an outstanding expert from a country with a high level of GDP is required for a project, they should be supported if there is no other possibility of using their skills and their knowledge for European interests. The leitmotiv must be the EU's own interest.

4.2 The Commission believes that objective information is needed to implement the strategic approach. The Committee welcomes the oral statement by the Commission representative that no additional effort is planned for the compilation of statistics and collection of data – as proposed in the communication – and that the Commission is to draw on existing sources instead. The Committee recommends using, for example, data from the European semester\(^9\), in order to avoid additional burdens for entrepreneurs and researchers.

Brussels, 16 January 2013

The President
of the
European Economic and Social Committee

Staffan Nilsson

\(^9\) [http://ec.europa.eu/europe2020/making-it-happen/index_en.htm](http://ec.europa.eu/europe2020/making-it-happen/index_en.htm)