

**Corrigendum to Council Decision 2006/972/EC of 19 December 2006 concerning the specific programme: 'Ideas' implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013)**

*(Official Journal of the European Union L 400 of 30 December 2006)*

Decision 2006/972/EC should read as follows:

**COUNCIL DECISION**

**of 19 December 2006**

**concerning the specific programme: 'Ideas' implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013)**

**(Text with EEA relevance)**

(2006/972/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 166(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the European Economic and Social Committee <sup>(2)</sup>,

Whereas:

(1) In accordance with Article 166(3) of the Treaty, Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities, (2007 to 2013) <sup>(3)</sup> (hereinafter referred to as 'the Framework Programme') is to be implemented through specific programmes that define detailed rules for their implementation, fix their duration and provide for the means deemed necessary.

(2) The Framework Programme is structured in four types of activities: trans-national cooperation on policy-defined themes (Cooperation), investigator-driven research based on initiatives of the research community (Ideas), support of training and career development of researchers (People), and support of research capacities (Capacities). Activities under 'Ideas' as regards indirect actions should be implemented by this specific programme.

(3) This specific programme should follow an 'investigator-driven' approach: it should support 'frontier research' projects carried out by researchers on subjects of their choice. It should be implemented in a flexible and user-friendly manner, in a spirit of openness with respect to all the related actors, and taking account of relevant scientific practices.

(4) Proposals for 'frontier research' should be evaluated on the basis of the sole criterion of excellence as judged by peer review and should put the emphasis on inter- and multidisciplinary, high-risk pioneering projects and new groups and new generation researchers as well as established teams.

(5) This specific programme should be implemented according to the principles of scientific excellence, autonomy, efficiency, transparency, and accountability, by means of a European Research Council (ERC) consisting of an independent Scientific Council composed of scientists, engineers and scholars of the highest repute, representing the European research community in all its breadth and depth, supported by a lean and cost-effective dedicated implementation structure which would be set-up as an Executive Agency in accordance with Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes <sup>(4)</sup>.

(6) The Commission should be responsible for the implementation of this specific programme and should act as the guarantor of the European Research Council's autonomy and integrity, as well as its functional efficacy.

<sup>(1)</sup> Opinion delivered on 30 November 2006 (not yet published in the Official Journal).

<sup>(2)</sup> OJ C 185, 8.8.2006, p. 10.

<sup>(3)</sup> OJ L 412, 30.12.2006, p. 1.

<sup>(4)</sup> OJ L 11, 16.1.2003, p. 1.

- (7) To guarantee the ERC's autonomy, the Commission should ensure that positions of the Scientific Council on the scientific orientation and aspects of programme implementation are respected, and that the dedicated implementation structure follows strictly, efficiently and with the necessary flexibility, the objectives and requirements of this specific programme.
- (8) To guarantee the ERC's integrity, the Commission should ensure that this specific programme is implemented in accordance with the objectives set.
- (9) The rules for the participation of undertakings, research centres and universities and for the dissemination of research results, for the Framework Programme (hereinafter referred to as 'the rules for participation and dissemination') should apply to this programme.
- (10) The Framework Programme should complement the activities carried out in the Member States as well as other Community actions that are necessary for the overall strategic effort for the implementation of the Lisbon objectives, alongside, in particular, those on structural funds, agriculture, education, training, culture, competitiveness and innovation, industry, health, consumer protection, employment, energy, transport and environment.
- (11) Implementation of the Framework Programme may give rise to supplementary programmes involving the participation of certain Member States only, the participation of the Community in programmes undertaken by several Member States, or the setting up of joint undertakings or other arrangements within the meaning of Articles 168, 169 and 171 of the Treaty.
- (12) As provided for under Article 170 of the Treaty, the Community has concluded a number of international agreements in the field of research and efforts should be made to strengthen international research cooperation with a view to further integrating the Community into the world-wide research community. Therefore, this specific programme should be open to the participation of countries having concluded agreements to this effect and should also be open on the project level, and on the basis of mutual benefit, to the participation of entities from third countries and of international organisations for scientific cooperation.
- (13) Research activities carried out within this programme should respect fundamental ethical principles, including those which are reflected in the Charter of Fundamental Rights of the European Union.
- (14) Sound financial management of the Framework Programme and its implementation should be ensured in the most effective and user-friendly manner possible, while ensuring legal certainty and the accessibility of the programme for all participants, in compliance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(1)</sup> and Commission Regulation (EC, Euratom) 2342/2002 <sup>(2)</sup> laying down detailed rules for the implementation of that Financial Regulation and any future amendments.
- (15) Appropriate measures — proportionate to the European Communities' financial interests — should be taken to monitor both the effectiveness of the financial support granted and the effectiveness of the utilisation of these funds in order to prevent irregularities and fraud and the necessary steps should be taken to recover funds lost, wrongly paid or incorrectly used in accordance with Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests <sup>(3)</sup>, Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities <sup>(4)</sup> and Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) <sup>(5)</sup>.
- (16) Since the measures necessary for the implementation of this Decision are essentially management measures, they should therefore be adopted by the advisory or management procedure provided for in Articles 3 and 4 of Council Decision 1999/468/EC of 28 June 1999, laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(6)</sup>. On the other hand, research involving the use of human embryos and human embryonic stem cells raises specific ethical issues, as described in Article 3 of this Decision, therefore, measures for the financing of such projects should be adopted by the regulatory procedure provided for in Article 5 of Decision 1999/468/EC.
- (17) The implementation and management of the activity under this specific programme will be reviewed and evaluated on an on-going basis to assess its achievements and to adjust and improve procedures on the basis of experience. As regards the ERC structures and mechanisms, the mid term review of the Seventh Framework Programme, based on an independent review against the criteria of scientific excellence, autonomy, efficiency and transparency and with the full involvement of the Scientific Council, may show the need for further improvements necessitating appropriate amendments.

<sup>(1)</sup> OJ L 248, 16.9.2002, p. 1.

<sup>(2)</sup> OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1248/2006 (OJ L 227, 19.8.2006, p. 3).

<sup>(3)</sup> OJ L 312, 23.12.1995, p. 1.

<sup>(4)</sup> OJ L 292, 15.11.1996, p. 2.

<sup>(5)</sup> OJ L 136, 31.5.1999, p. 1.

<sup>(6)</sup> OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

- (18) The 'Ideas' specific programme should have its own budget line in the General Budget of the European Communities.
- (19) The importance of this specific programme is recognised as being an overall priority means to attain the objectives of excellence, management simplification and European added value in 'frontier research' contributed by Community research in addition to the efforts already undertaken at national level.
- (20) It responds to the recommendations of the report by ERCEG<sup>(1)</sup> set up by the Copenhagen European Council (November 2002), reiterated by successive Councils (November 2003, 11 March 2004, 25 to 26 March 2004, 26 November 2004) and endorsed by the European Parliament<sup>(2)</sup>. This specific programme is in line with the Lisbon strategy and the European Council of Barcelona which set the target of raising European research efforts to 3 % of EU GDP.
- (21) In the implementation of this specific programme adequate attention should be paid to gender mainstreaming, as well as to, *inter alia*, working conditions, transparency of recruitment processes, and career development as regards the researchers recruited on projects and programmes funded under the actions of this programme, for which the Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers<sup>(3)</sup> offers a reference framework, while respecting their voluntary nature,

HAS ADOPTED THIS DECISION:

#### Article 1

1. The specific programme 'Ideas' for Community activities in the area of 'frontier research', hereinafter the 'specific programme', is hereby adopted for the period from 1 January 2007 to 31 December 2013.
2. The specific programme shall be 'investigator-driven', supporting research carried out across all fields by individual national or transnational teams in competition at the European level. The detailed objectives and the broad lines of those activities are set out in Annex I.

<sup>(1)</sup> ERCEG — European Research Council Expert Group; The ERCEG was set up on the initiative of the Danish Minister of Science, Technology and Innovation, during the Danish EU Presidency, December 2003.

<sup>(2)</sup> Report on Science and Technology Guidelines for future European Union Policy to support research, A6-0046/2005, 28.2.2005.

<sup>(3)</sup> OJ L 75, 22.3.2005, p. 67.

#### Article 2

In accordance with Annex II of the Framework Programme, the amount deemed necessary for the execution of the specific programme shall be EUR 7 510 million, of which not more than 5 % shall be for the Commission's administrative expenditure<sup>(4)</sup>.

#### Article 3

1. All research activities carried out under the specific programme shall be carried out in compliance with fundamental ethical principles.
2. The following fields of research shall not be financed under this programme:
  - research activity aiming at human cloning for reproductive purposes,
  - research activity intended to modify the genetic heritage of human beings which could make such changes heritable<sup>(5)</sup>,
  - research activities intended to create human embryos solely for the purpose of research or for the purpose of stem cell procurement, including by means of somatic cell nuclear transfer.
3. Research on human stem cells, both adult and embryonic, may be financed, depending both on the contents of the scientific proposal and the legal framework of the Member State(s) involved.

Any application for financing for research on human embryonic stem cells shall include, as appropriate, details of licensing and control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approval(s) that will be provided.

As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict licensing and control in accordance with the legal framework of the Member State(s) involved.

4. The fields of research set out in paragraph 2 shall be reviewed for the second phase of this programme (2010 to 2013) in the light of scientific advances.

#### Article 4

1. The Commission shall be responsible for the implementation of the specific programme.
2. The Commission shall establish a European Research Council (ERC), which shall be the means for implementing the specific programme.

<sup>(4)</sup> Including the administrative expenditure of the European Research Council.

<sup>(5)</sup> Research relating to cancer treatment of the gonads may be financed.

3. The European Research Council shall consist of an independent Scientific Council, supported by a dedicated implementation structure, as described in Annex I. It shall operate according to the principles of scientific excellence, autonomy, efficiency, transparency and accountability.

4. The Commission shall act as the guarantor of the European Research Council's autonomy and integrity, ensure the proper execution of the tasks entrusted to it and provide the European Parliament and the Council with an annual report on the ERC's operations and realisation of the objectives set out in the specific programme.

#### Article 5

1. The Scientific Council shall be composed of scientists, engineers and scholars of the highest repute and appropriate expertise, ensuring a diversity of research areas, acting in their personal capacity, independent of extraneous interests.

The Commission shall appoint the members of the Scientific Council following an independent and transparent procedure for their identification agreed with the Scientific Council including a consultation of the scientific community and a report to the European Parliament and the Council <sup>(1)</sup>.

Their term of office shall be limited to 4 years, renewable once on a basis of a rotating system which will ensure the continuity of the Scientific Council's work.

2. The Scientific Council shall act in accordance with the mandate set out in Annex I.

3. The Scientific Council shall establish:

- (a) the overall strategy for the ERC;
- (b) the work programme for the implementation of the specific programme, to be adopted pursuant to Article 6(1);
- (c) the methods and procedures for peer review and proposal evaluation on the basis of which the proposals to be funded will be determined;
- (d) its position on any matter which from a scientific perspective may enhance the achievements and impact of the specific programme, and the quality of the research carried out;
- (e) a code of conduct addressing, *inter alia*, the avoidance of conflicts of interest.

4. The Scientific Council shall exclusively act in the interest of achieving the specific programme's scientific, technological and scholarly objectives, according to the principles set out in Article 4(3).

<sup>(1)</sup> Involvement of the Scientific Council is not applicable for the process of the selection of the founding members of the Scientific Council.

#### Article 6

1. The Commission shall adopt the work programme for the implementation of the specific programme, setting out in greater detail the objectives and scientific and technological priorities contained in Annex I, the associated funding, and the timetable for implementation.

2. The work programme shall take account of the state of science and technology in Europe and anticipate developments. It shall be updated as and where appropriate.

3. The work programme shall specify the criteria on which proposals under the funding schemes shall be evaluated and projects selected. For individual projects the sole criterion of excellence shall be applicable. For coordination and support actions, project-related criteria may be applicable.

4. The work programme may identify:

- (a) organisations that receive subscriptions in the form of a membership fee;
- (b) support actions for the activities of specific legal entities.

5. The Commission shall ensure that the implementation of the specific programme is in accordance with the principles set out in Article 4(3) as well as with the overall strategy referred to in Article 5(3)(a) and the work programme referred to in Article 5(3)(b) and the methods and positions established by the Scientific Council as defined under Article 5(3)(c) and 5(3)(d). The Commission shall ensure that the dedicated implementation structure follows strictly, efficiently and with the necessary flexibility, the objectives and requirements of this specific programme alone.

6. As regards the tasks set out in Article 5(3), the Commission shall abstain from following the position of the Scientific Council only when it considers that the provisions of this specific programme have not been respected. In this case, the Commission may adopt measures to maintain continuity in the implementation of the specific programme and the achievement of its objectives, duly motivating such measures.

7. The advisory procedure referred to in Article 8(2) shall apply for the adoption of the work programme referred to in Article 6(1).

8. The management procedure referred to in Article 8(3) shall apply for the adoption of the work programme when there is a difference of substance with the position of the Scientific Council in accordance with Article 6(6).

9. The regulatory procedure referred to in Article 8(4) shall apply for the adoption of RTD actions involving the use of human embryos and human embryonic stem cells.

*Article 7*

1. The rules for participation and dissemination shall apply to this specific programme.
2. The specific programme shall be implemented by means of the funding schemes defined in Annex III of the Framework Programme.

*Article 8*

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.
3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at two months.

4. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down for in Article 5(6) of Decision 1999/468/EC shall be set at two months.

5. The Commission shall regularly inform the Committee of the overall progress of the implementation of the specific

programme, and shall provide it with timely information about all actions proposed or funded under this programme as specified in Annex II.

6. The Committee shall adopt its rules of procedure.

*Article 9*

The Commission shall arrange for the independent monitoring, assessment and review provided for in Article 7 and Annex I Section II (Ideas) of the Framework Programme to be conducted concerning the activities covered by the specific programme.

*Article 10*

This Decision shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

*Article 11*

This Decision is addressed to the Member States.

Done at Brussels, 19 December 2006.

*For the Council*

*The President*

J. KORKEAOJA

## ANNEX I

**SCIENTIFIC OBJECTIVES AND BROAD LINES OF THE ACTIVITIES**

Investigator-driven 'frontier research', within the framework of activities commonly understood as 'basic research', is a key driver of wealth and social progress, as it opens new opportunities for scientific and technological advance, and is instrumental in producing new knowledge leading to future applications and markets.

Despite many achievements and a high level of performance in a large number of fields, Europe is not making the most of its research potential and resources, and urgently needs a strengthened capacity to generate knowledge and translate such knowledge into economic and social value and growth.

**Objectives**

The objective of the specific programme 'Ideas' is to reinforce excellence, dynamism and creativity in European research and improve the attractiveness of Europe for the best researchers from both European and third countries, as well as for industrial research investment, by providing a Europe-wide competitive funding structure, in addition to and not replacing national funding, for 'frontier research' executed by individual teams. Communication and dissemination of research results is an important aspect of this programme.

For its implementation, a European Research Council (ERC), consisting of an independent Scientific Council and a lean and cost-effective dedicated implementation structure, will be created by the Commission under this specific programme. The ERC will operate according to the principles of scientific excellence, autonomy, efficiency, transparency and accountability, and will support investigator-driven projects in 'frontier research', carried out by individual teams competing at the European level, within and across all fields of research.

By promoting 'frontier research' from across the EU, the specific programme will aim to put European research in a leading position, opening the way to creating new and often unexpected scientific and technological results and new areas for research. It will stimulate the flow of ideas and allow Europe better to exploit its research assets and foster innovation in the drive towards a dynamic knowledge-based society, with long-term benefits for the competitiveness of European economies and well being.

**Programme Implementation**

For the implementation of this specific programme, the Commission will establish, at the start, the two key structural components of the ERC — an independent Scientific Council and a dedicated implementation structure.

The administrative and staffing costs for the ERC relating to the Scientific Council and dedicated implementation structure will be consistent with lean and cost-effective management; administrative expenditure will be kept to a minimum, consistent with ensuring the resources necessary for high quality implementation, in order to maximise funding for frontier research <sup>(1)</sup>.

**The Scientific Council**

The tasks of the Scientific Council, as established in Article 5, will be as follows:

1. Scientific strategy:
  - establish the overall scientific strategy for the programme, in the light of scientific opportunities and European scientific needs;
  - on a permanent basis, in accordance with the scientific strategy, ensure the establishment of the work programme and necessary modifications, including calls for proposals and criteria and, as may be required, the definition of specific topics or target groups (e.g. young/emerging teams).

<sup>(1)</sup> With a view to facilitating the implementation of the programme, for each meeting of the programme committee as defined in the agenda, the Commission will reimburse, in accordance with its established guidelines, the expenses of one representative per Member State, as well as one expert/adviser per Member State for those agenda items where a Member State requires specific expertise.

2. Scientific management, monitoring and quality control of programme implementation:
  - as appropriate, from a scientific perspective, establish positions on implementation and management of calls for proposals, evaluation criteria, peer review processes including the selection of experts and the methods for peer review and proposal evaluation, on the basis of which the proposal to be funded will be determined under the supervision of the Scientific Council; as well as any other matter affecting the achievements and impact of the specific programme, and the quality of the research carried out;
  - monitor quality of operations and evaluate programme implementation and achievements and make recommendations for corrective or future actions.
3. Communication and dissemination:
  - assure communication with the scientific community and key stakeholders on the activities and achievements of the programme and the deliberations of the ERC;
  - regularly report to the Commission on its activities.

The Scientific Council will have full authority over decisions on the type of research to be funded and act as guarantor of the quality of the activity from the scientific perspective.

The Scientific Council may independently select a Secretary-General who will act under its authority. The Secretary-General will, *inter alia*, assist the Scientific Council in ensuring its effective liaison with the dedicated implementation structure and with the Commission, and in monitoring the effective implementation of its strategy and positions as carried by the dedicated implementation structure.

Administrative assistance may be provided for the Chair and vice-chairs of the Scientific Council.

#### **Dedicated implementation structure**

The dedicated implementation structure will be responsible for all aspects of administrative implementation and programme execution, as provided for in the annual work programme. It will, in particular, implement the evaluation procedures, peer review and selection process according to the principles established by the Scientific Council and will ensure the financial and scientific management of the grants. The dedicated implementation structure will keep the Scientific Council informed of its activities.

The management of the ERC will be carried out by staff recruited for that purpose, including officials from EU institutions, and will cover only the real administrative needs in order to assure the stability and continuity necessary for an effective administration.

#### **Role of the Commission**

The Commission will act as the guarantor of the ERC's full autonomy and integrity. It will ensure that the ERC acts in accordance with the principles of scientific excellence, autonomy, efficiency and transparency, and that it follows precisely the strategy and implementation methodology established by the Scientific Council. In particular the Commission will:

- ensure the establishment of a dedicated implementation structure and the delegation of tasks and responsibilities to it,
- appoint the Director and the Senior Staff of the dedicated implementation structure taking into account the views of the Scientific Council,
- adopt the work programme and the positions regarding implementing methodology, as defined by the Scientific Council,
- ensure that proposals are retained, and projects financed, solely on the basis of their ranking order resulting from the peer review; any change in the rank order of peer review must be explicitly endorsed by the Scientific Council,
- regularly inform the programme committee on the implementation of the programme,

- draw up, in cooperation with the Scientific Council, an annual report on the ERC's operations and realisation of the objectives set out in the specific programme and submit it to the Council and the Parliament.

### Activities

This programme will promote world class 'frontier research'. The term 'frontier research' reflects a new understanding of basic research. On one hand it denotes that basic research in science and technology is of critical importance to economic and social welfare, and on the other that research at and beyond the frontiers of current understanding is an intrinsically risky venture, progressing on new and most challenging research areas and is characterised by an absence of disciplinary boundaries.

The programme will support individual projects, which may be carried out in any field of basic scientific and technological research which falls within the scope of Community research under this Framework Programme, including engineering, socioeconomic sciences and the humanities. As appropriate, specific research topics or target groups (e.g. new generation researchers/emerging teams) may be taken into account, following the objectives of the programme and needs for efficient implementation. Particular attention will be paid to emerging and fast-growing areas at the frontier of knowledge, and at the interface between disciplines.

An 'investigator-driven' approach will be followed. This means that the programme will support projects carried out by researchers on subjects of their choice within the scope of calls for proposals. Proposals will be evaluated on the sole criterion of excellence as judged by peer review, taking account of excellence in new groups, new generation researchers, as well as established teams, and paying particular attention to proposals which are highly pioneering and involve correspondingly high scientific risks.

The programme will support projects carried out by individual teams which may be of national or transnational character. An individual team consists of an individual principal investigator and, as appropriate, other individuals, members of the team <sup>(1)</sup>.

### Review

The implementation and management of the activity will be reviewed and evaluated on an on-going basis to assess its achievements and to adjust and improve procedures on the basis of experience. In the context of the interim evaluation referred to in Article 7(2) of the Framework Programme, an independent review will also be carried out of the ERC's structures and mechanisms, against the criteria of scientific excellence, autonomy, efficiency and transparency and with the full involvement of the Scientific Council. This will include the process and criteria for the selection of the members of the Scientific Council. The review will explicitly look at the advantages and disadvantages of a structure based on an Executive Agency, and a structure based on Article 171 of the Treaty. On the basis of this review, these structures and mechanisms should be modified as appropriate. The Commission will ensure that all the necessary preparatory work, including any legislative proposals which it considers necessary, is undertaken and presented to the European Parliament and the Council, as required by the Treaty, with a view to a transition to any modified structure required, as soon as possible. To this end the Framework Programme will be adapted or supplemented in co-decision pursuant to Article 166(2) of the Treaty. The progress report referred to in Article 7(2) of the Framework Programme, preceding the interim evaluation, will give initial findings on the functioning of the ERC.

### Ethical aspects

During the implementation of this specific programme and in the research activities arising from it, fundamental ethical principles are to be respected. These include, *inter alia*, the principles reflected in the Charter of Fundamental Rights of the EU, including the following: protection of human dignity and human life, protection of personal data and privacy, as well as of animals and the environment in accordance with Community law and relevant international conventions, guidelines and codes of conduct, such as the Helsinki Declaration, the Convention of the Council of Europe on Human Rights and Biomedicine signed in Oviedo on 4 April 1997 and its Additional Protocols, the UN Convention on the Rights of the Child, the Universal Declaration on the human genome and human rights adopted by UNESCO, UN Biological and Toxin Weapons Convention (BTWC), International Treaty on Plant Genetic Resources for Food and Agriculture, and the relevant World Health Organisation (WHO) resolutions.

Account will also be taken of the Opinions of the European Group of Advisers on the Ethical Implications of Biotechnology (1991 to 1997) and the Opinions of the European Group on Ethics in Science and New Technologies (as from 1998).

<sup>(1)</sup> In accordance with the Rules for Participation, the participation of more than one legal entity is not excluded.

In compliance with the principle of subsidiarity and the diversity of approaches existing in Europe, participants in research projects must conform to current legislation, regulations and ethical rules in the countries where the research will be carried out. In any case, national provisions apply and no research forbidden in any given Member State or other country will be supported by Community funding to be carried out in that Member State or country.

Where appropriate, those carrying out research projects must seek the approval of the relevant national or local ethics committees prior to the start of the RTD activities. An ethical review will also be implemented systematically by the Commission for proposals dealing with ethically sensitive issues or where ethical aspects have not been adequately addressed. In specific cases an ethical review may take place during the implementation of a project.

No funding will be granted for research activities that are prohibited in all the Member States.

The Protocol on protection and welfare of animals annexed to the Treaty requires that the Community pays full regard to the welfare requirements of animals in formulating and implementing Community policies including research. Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes<sup>(1)</sup> requires that all experiments be designed to avoid distress and unnecessary pain and suffering to the experimental animals; use the minimum number of animals; involve animals with the lowest degree of neurophysiological sensitivity; and cause the least pain, suffering, distress or lasting harm. Altering the genetic heritage of animals and cloning of animals may be considered only if the aims are ethically justified and the conditions are such that the animals' welfare is guaranteed and the principles of biodiversity are respected.

During the implementation of this programme, scientific advances and national and international provisions will be regularly monitored by the Commission so as to take account of any developments.

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<sup>(1)</sup> OJ L 358, 18.12.1986, p. 1. Directive as last amended by Directive 2003/65/EC of the European Parliament and of the Council (OJ L 230, 16.9.2003, p. 32).

*ANNEX II***Information to be provided by the Commission in accordance with Article 8(5)**

1. Information on actions, enabling the entire lifetime of each proposal to be monitored, covering in particular:
  - submitted proposals,
  - evaluation results for each proposal,
  - grant agreements,
  - completed actions.
2. Information on the outcome of each call and implementation of actions, covering in particular:
  - results of each call,
  - conclusion of grant agreements,
  - implementation of actions, including payment data and outcome of actions.
3. Information on programme implementation, including relevant information at the level of the Framework Programme and the specific programme.

This information (in particular, on proposals, their evaluation and grant agreements) should be provided in a uniform structured electronically-readable and treatable format accessible through an IT-based information and reporting system which readily enables data analysis.

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