

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 14 December 1990

Amended proposal for a

COUNCIL DECISION

adopting a specific research and technological development programme
in the field of Life Sciences and Technologies for Developing Countries

(1990-1994)

(presented by the Commission pursuant to Article 149(3)
of the EEC-Treaty)

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EXPLANATORY MEMORANDUM

The Commission presented to the Council, on the 28th of May 1990, the "Proposal for a Council Decision adopting a specific research and technological development programme in the field of Life Sciences and Technologies for Developing Countries (1990-1994)". The Economic and Social Committee has expressed its opinion regarding this proposal on 6 September 1990. The European Parliament examined this proposal, at first reading, during its plenary session of 12th of December 1990, and adopted 28 amendments.

Among these amendments the nos. 2, 3, 4, 5, 6, 7, 8, 10, 11, 15, 16, 17, 19, 20, 21, 22, 26 and 27 were accepted as proposed by Parliament. Certain amendments were only partially accepted (no. 12 paragraphs 2 and 3, no. 13 points 1 and 2, no. 18 1st part, no. 24 first 3 points). Amendment no. 14 is accepted with a modification in its formulation.

The amendments accepted will permit the specificity of this programme to be better taken into account; they will give more detail on the programme's objectives and its scientific content and clarify certain aspects concerning the methods for its implementation.

The amendments nos. 1, 9, 12 (1st paragraph), 13 (3rd point), 18 (2nd and 3rd part), 23, 24 (last line), 25 and 39 were rejected either for reasons of a legal nature or because they do not fall within the scope of this specific programme.

The thus modified proposal is presented by the Commission pursuant to the third paragraph of Article 149 of the EEC Treaty.

Revised proposal for a

C O U N C I L D E C I S I O N

adopting a specific research and technological development programme
in the field of life sciences and technologies for developing countries
(1990-1994)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

having regard to the Treaty establishing the European Economic Community, and in particular Article 130q(2) thereof,

having regard to the proposal from the Commission¹,

in cooperation with the European Parliament²,

having regard to the opinion of the Economic and Social Committee³

¹ OJ N° C

² OJ N° C

³ OJ N° C

whereas, by its Decision 90/221/EEC, Euratom⁴, the Council adopted a third framework programme for Community activities in the field of research and technological development (1990-1994), specifying *inter alia* the activities to be pursued in the area of life sciences and technologies for developing countries; whereas this Decision should be taken in the light of the grounds set out in the preamble to that Decision;

whereas Article 130k of the Treaty stipulates that the framework programme shall be implemented through specific programmes developed within each activity;

whereas an estimate should be made of the amount of Community financial resources needed to carry out this specific programme; whereas the definitive amounts will be fixed by the budgetary authority in line with the financial perspectives covering the period 1988-1992 included in the Interinstitutional Agreement of 29 June 1988⁵ and with any future financial perspectives covering the period 1993-1994;

whereas, pursuant to Article 4 and Annex I of Decision 90/221/Euratom, EEC, the amount deemed necessary for the whole of the framework programme includes an amount of 57 million ECU for the centralized dissemination and exploitation of results, to be divided up in proportion to the amount envisaged for each activity; whereas in view of the importance of this specific programme within the "Life Sciences and Technologies" action the estimate of the financial resources needed by this programme is to be reduced by 1.11 million ECU, which amount is to be allocated to centralized activities in order to comply with the second sentence of Article 130p(2) of the Treaty;

⁴ OJ No L 117, 8.5.1990, p. 28.

⁵ OJ N° L 185, 15.7.1988, p. 33.

whereas fundamental research must also be taken into account throughout the Community and the developing countries;

whereas, in addition to the specific programme on human capital and mobility, training of researchers in each of the strategic research sectors of the framework programme must be ensured;

whereas the economic and social, (human and environmental) impact of the programme must be assessed by an independent panel, and technology and risk assessment be undertaken;

whereas in order to widen the scientific base and strengthen the research capacity of the Community encouragement must be given to the involvement in this programme of the scientific and research institutes which have not traditionally been involved in this field; whereas the developing countries will benefit in so far as it will be possible for Community measures to be extended to areas of the world which have not hitherto been able to participate to a sufficient degree in previous programmes;

whereas this programme must be implemented by the Commission; whereas to help accomplish this, the Member States are bound, pursuant to Article 5 of the Treaty to facilitate the achievement of its tasks where necessary, notably within a committee;

whereas this programme must be implemented essentially by the selection of research and development projects, jointly drawn up by institutions in the North and South, to enable them to benefit from Community participation; whereas the Commission should encourage the submission of such projects by the usual means of publishing calls for proposals in the Official Journal; whereas an exceptional procedure should also be devised to come into effect between calls for proposals so as to maintain a degree of flexibility enabling the Commission, in the face of continuous evolution and gradual acceleration of technological progress, also to take into consideration spontaneous proposals consistent with the objectives of the programme;

whereas support for the international competitiveness of European industry, through Community research and technological development programmes, is linked with the Community's external relations policy based on the principle of "the global equilibrium of opportunities", and that it is also in the light of this policy that participation of European companies owned by citizens of non-Community countries must be considered.

whereas the projects to be carried out under the programme must be selected with special attention to the principle of economic and social cohesion in the Community, the transnational nature of the projects and the support to be given to small and medium-sized enterprises;

whereas it is only in the light of experience gathered in the course of this programme that the Commission will be able to propose and the Council to adopt supplementary programmes by having recourse to the means provided for in Articles 130l, 130m or 130o of the Treaty if they contribute to the achievement of the programme's objectives, in accordance with the option made available by Article 2(2) of the Decision 90/221/Euratom,EEC;

whereas, in accordance with Article 130g of the Treaty, the Community's activities aimed at strengthening the scientific and technological basis of European industry and encouraging it to become more competitive include promoting cooperation on research and technological development with third countries and international organizations; whereas such cooperation may prove particularly beneficial to the development of this programme;

whereas it is necessary, as Annex II to Decision 90/221/Euratom,EEC, provides, to increase cooperation between European scientists and those from developing countries in order to facilitate complementarity of research and methods and to improve access to the different networks of scientific relationships established by the Member States with the developing countries in the areas of agriculture and health; whereas this

programme should have as its aim to promote development of the research capacity of these developing countries while encouraging the strengthening of that existing in the Member States; whereas special rules should be drawn up for the dissemination of knowledge resulting from the implementation of this programme;

whereas the interface between agriculture and health is of great significance in the specific situation of the developing countries;

whereas the Scientific and Technical Research Committee (CREST) has been consulted;

HAS ADOPTED THIS DECISION:

Article 1

A specific research and technological development programme for the European Economic Community in the field of life sciences and technologies for developing countries, as defined in Annex I, is open to all developing countries, is hereby adopted for the period from the date of publication of this decision in the Official Journal to 31 December 1994.

Article 2

1. The Community funds estimated as necessary for the execution of the programme under this Decision amount to 111 million ECU. Of this amount 1.11 million ECU is drawn for the centralized dissemination and exploitation of results. The amount thus reduced to 109.89 million ECU includes staff costs which may not exceed 5%. An indicative breakdown of expenditure is set out in Annex II.
2. Should the Council take a decision in implementation of Article 1(4) of Decision 90/221/Euratom,EEC, this Decision shall be adapted to take account of the above mentioned decision.
3. The budgetary authority shall decide on the appropriations available for each financial year.

Article 3

Rules for the implementation of the programme are set out in Annex III.

Article 4

The rate of the Community financial contribution shall be laid down in accordance with Annex IV to Decision 90/221/Euratom,EEC.

Article 5

1. During the third year of implementation, the Commission shall review the programme and address a report on the results of the review to the Council and the European Parliament, together with proposals for any necessary changes.
2. At the end of the programme the Commission shall assess the results obtained. It shall address a report thereon to the Council and the European Parliament.
3. The reports shall be drawn up having regard to the objectives set out in Annex I to this Decision and in accordance with Article 2(4) of Decision 90/221/Euratom,EEC.

Article 6

1. The Commission shall be responsible for the execution of the programme. It shall be assisted by an advisory committee, hereinafter referred to as 'the Committee', composed of the representatives of the Member States, and chaired by a representative of the Commission.
2. The contracts concluded by the Commission shall govern the rights and obligations of each party, including the procedures for disseminating, protecting and exploiting the research results, in accordance with the arrangements adopted pursuant to the second paragraph of Article 130k of the Treaty and, where appropriate, procedures for training and evaluation.
3. A work programme shall be drawn up at the start of the programme and shall be regularly revised. It shall set out the detailed objectives and the types of projects to be undertaken, and the financial arrangements to be made for them. The Commission shall make calls for proposals for projects on the basis of the work programmes.

Article 7

1. In the cases referred to in Article 8(1), the representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on this within a time limit which the Chairman may set in accordance with the urgency of the matter, if necessary by holding a vote.
2. The opinion shall be entered in the minutes; in addition, each Member State shall have the right to ask for its position to appear in the minutes.
3. The Commission shall take the fullest account of the opinion delivered by the Committee. It shall inform the Committee of the way in which it has taken account of the opinion.

Article 8

The procedure laid down in Article 7 shall apply to:

- the preparation and updating of the work programmes referred to in Article 6(3);
- the contents of calls for proposals, referred to in Article 6(3);
- derogations to the general rules for Community participation, set out in Annex IV of Council Decision 90/221/Euratom,EEC, with particular reference to participants in the developing countries for whom a higher rate of Community funding in shared-cost projects may prove appropriate;
- the participation in any project by non-Community organizations and enterprises referred to in Annex III point 3;
- any adaptation of the indicative breakdown of funds set out in Annex II;
- the measures to be undertaken to evaluate the programme and those projects submitted through the exceptional procedure;
- accompanying measures and arrangements for the dissemination, protection and exploitation of the results of the research, for encouraging fundamental

research, training of researchers and technological assessment carried out under the programme;
- concerted actions referred to in point 2 of Annex III.

Article 9

In implementing this programme, supplementary programmes within the meaning of Article 130l, participation within the meaning of Article 130m and joint undertakings or any other structures within the meaning of Article 130o of the Treaty may also be decided on as the need arises.

Article 10

Where cooperation with developed third countries and international organizations aiming at achieving the objectives of the programme, requires legal undertakings between the Community and the third parties concerned, the Commission shall be authorized to negotiate, in accordance with Article 130n of the Treaty, international agreements establishing the arrangements for such cooperation.

Priority will also be given to cooperation with EFTA countries and European countries not members of the European Community⁶

The negotiations for such international agreements may only be initiated with developed third countries who are already signatories of an agreement with the Community which explicitly cites research and technological development or scientific progress as one of the objectives of cooperation.

⁶ Conforming, where necessary, with the agreed orientations between the Council and the European Parliament during the consultation procedure which preceded the adoption of the third Framework Programme

The Decision on the conclusion of such agreements shall be adopted in accordance with the procedure referred to in Article 130q(2) of the Treaty.

Article 11

This Decision is addressed to the Member States.

Done at,

For the Council,
The President

SCIENTIFIC AND TECHNICAL OBJECTIVES AND CONTENT

The orientations of the third framework programme, its scientific and technical objectives, and the motivations which have inspired it, form an integral part of this specific programme.

Paragraph 4D of Annex II of the Framework Programme is an integral part of this specific programme.

The programme's specific objectives may be defined as follows:

- further strengthening of research capacity in both the developing countries and in the Community Member States in areas defined as having priority for Third World development (agriculture, health and the environment in tropical and subtropical areas), by means of joint research projects;
- improved coordination at European level of the development of South-South cooperation and consolidation, strengthening and extension of the links between partners in the North and South, created in the first two stages of the programme;
- significant progress on themes associated with development needs, including environmental protection and the rational management of natural resources to help improve living standards and health in the developing countries, particularly in the poorest developing countries;

- making use of certain European teams used in other programmes in the Community S&T framework programme, by offering them the opportunity of extending their field of investigation to the tropics and diversifying their methodological approach;
- acquisition of added value by the various existing national initiatives in this field, owing to the programme's Community dimension.

The following description of the content of this programme is presented under particular strategic themes in order to:

- provide a better assessment of its impact on development;
- facilitate an interdisciplinary approach, which is frequently essential for solving problems.

The association of the two areas of research - agriculture and health - in a single programme, provides an excellent opportunity to finance interface activities. Thus the programme will allow consideration of the appropriate interdisciplinary projects concerning, for instance,

- nutrition,
- zoonosis, and
- irrigation.

This multidisciplinary approach will also be encouraged within each of the areas, with reference, for example, to optimum use of natural resources or optimum environmental protection.

AREA 1. IMPROVEMENT OF LIVING CONDITIONS

Reduction of food shortages

The aim is to increase agricultural plant and animal production by sustainable methods so as to improve food provision in regions where, for climatic, physical or human reasons, this problem is the first priority.

The work will cover:

- Production systems; predominantly food production:

analysis of the operation and dynamics of these systems, with a view to determining the constraints to achieving sustainable and ecological agriculture.

- Plant production:

food plant breeding (improvement of their hardiness and yield), protection (diseases, parasites and weeds), with continuing care for the environment so that sustainable solutions are found.

- Animal production:

role of livestock farming in production systems, forage resources with attention to environmental protection, alternative types of livestock farming in fragile environments and protection of animal health;

- Fisheries and aquaculture:

rational management of resources for coastal fishing; improvement of primary production in a natural environment; nutrition from local products, pathology and breeding in aquaculture.

- Restoration of the environment:

the study of reforestation, the relation between agriculture, forestry and livestock farming (agroforestry), the regeneration of pastureland, improved water management, soil protection, etc.

- Protection of natural environments:

research into the operation of buffer zones around areas of unspoilt nature, and research into the viability of non-disruptive commercial use of animal and plant products from such areas.

The development of agricultural production of high economic value

The aim is to provide a scientific and technical basis to assess agricultural activities that are of high economic value (including the utilisation of the forest and the aquatic environment) at the local level and for exportation in regions where there is no substantial food shortage.

The following forms of production come under this strategic theme:

- Main traditional export crops (groundnuts, cotton, coffee, rubber, palm oil, etc.)
- Secondary crops giving a product of a high added value.
Priority will in particular be given to studies into ways of replacing crops used for the production of narcotics with products of high economic value.
- Food products (products of animal origin and vegetables) commanding a high price on urban markets or for regional export
- Forests and forestry
- The production of bioenergy

The work will cover:

- Production systems and the marketing of cash crops:

analysis of how they operate, to improve their management and the products' economic impact, and socio-economic studies of the improvements introduced.

- Quantitative improvements:

improvement of plants or animal breeds, the reduction in losses before and after harvest, and improved farming, forestry and fish-breeding techniques.

- Qualitative improvements:

the development of techniques to bring these products up to international trade standards and to improve their commercial value (harvesting, transport, packaging, etc.).

- Feasibility studies of local processing

- Environmental protection:

impact of intensification of agriculture on the environment, ways of preventing or solving problems and possibilities for improving the natural environment while preserving or increasing its productivity.

AREA 2. IMPROVEMENTS IN HEALTH

Prevention and treatment of the predominant diseases in the developing countries

The aim is to reduce the impact of the diseases which continue to be the major public health problem in most of the developing countries.

Research will focus on: perfecting new methods of diagnosis and adapting existing methods to tropical conditions, using the most advanced techniques of molecular biology and immunology; developing new medicines with the help of innovative strategies for identifying biochemical targets for chemotherapy; preventing infectious diseases not only by developing vaccines but also by adapting existing vaccines to the specific needs of the developing countries. In the field of parasitology, the emphasis will be on a multi-antigenic approach taking into account, in certain cases, the different stages in the biological cycle of the parasite; the biology of the vector and its control by combining the traditional methods with the new ones of molecular biology and genetics.

Research into pandemic diseases such as haemoglobinoses, diarrhoea and the sexually transmitted diseases, especially AIDS, will be directed towards the study of possible intervention strategies, which will allow optimum prevention in the context of the developing countries' particular social and economic conditions.

When dealing with aims under this heading, particular attention will regularly be given to concertation with other Community projects, such as the biomedical and health programme.

Health care systems appropriate to the rural or urban environment of the developing countries

The objective is to study ways of organizing health care taking into account the specific constraints and the socio-economic context of the developing countries (financial, human and material resources) and the new opportunities offered by the results of biomedical research.

This research comprises a number of themes, such as the selection, evaluation and validation of health strategies, the management and financing of health services, the study of the optimum development of human resources, the prerequisites for the transfer of existing and new technologies, and the elucidation of the factors determining the participation of the population.

Nutrition

The aim of this research is to develop the scientific basis necessary for improving the nutritional condition of underprivileged populations by means of a multidisciplinary approach between medicine, agronomy, economics and the social sciences. This embraces research on nutritional interventions, specific shortages, and protection mechanisms in the event of food shortage at the individual, family and community levels.

INDICATIVE DISTRIBUTION OF EXPENDITURES

in % for the period 1990-1994

AREA 1.	<u>IMPROVEMENT OF LIVING CONDITIONS</u>	<u>65</u>
AREA 2.	<u>IMPROVEMENTS IN HEALTH</u>	<u>35</u>

This financial breakdown takes account of experience acquired in the implementation of the two earlier stages of the programme and the sums allocated allow for similar effectiveness in each of the two sub-programmes. The agriculture programme covers a wider field than the medical programme, particularly in view of the growing role played by the environment.

The breakdown between different areas does not exclude the possibility that certain interface projects could cover both areas: agriculture and medicine. These projects will be allocated 5% of the total amount of the programme.

RULES FOR IMPLEMENTING THE PROGRAMME AND
ACTIVITIES FOR DISSEMINATION AND EXPLOITATION OF THE RESULTS

1. The Commission shall implement the programme on the basis of Article 1 and the scientific and technical content described in Annex I.

The Commission shall ensure good coordination between this programme and all the other Community programmes and operations on behalf of the developing countries.

2. The rules for implementing the programme, referred to in Article 3, comprise research and technological development projects, accompanying measures, concerted actions.

The projects, which will be jointly worked out by the institutions in the North and the South, must deal with problems that are clearly of interest to the developing countries concerned, particularly regional problems.

The projects shall be the subject of shared-cost research and technological development contracts;

The accompanying measures shall consist of applying the means to ensure proper technical execution, management and evaluation of the programme, as well as adequate dissemination and accessibility of the results, and co-ordination, training and consciousness-raising of the participants in the programme, as defined in the work programme.

The concerted actions are those defined in Article 92 of the Financial Regulation.

3. The participants in the projects must be natural or legal persons established either in the Community or in developing countries, such as universities, research organizations and industrial firms, including small and medium-sized enterprises, or associations thereof, in particular European Economic Interest Groupings (EEIG).

Natural or legal persons established in countries other than developing countries which have concluded agreements with the Community foreseeing scientific and technical research, may, based on the criterion of mutual advantage, take part in the projects undertaken in the context of this programme. The contracting parties under such arrangements will not benefit from Community funding under the Framework Programme. They shall contribute to the general administrative costs.

4. The choice of projects shall be carried out according to the following order of priority, the first method being the rule, the second the exception.

The participants in the projects shall be selected on the basis of the ordinary procedure of calls for proposals referred to in Article 6(3) and published in the Official Journal of the European Communities.

The Commission may also accept proposals, according to an exceptional procedure and under the conditions mentioned below, when they make a particularly promising and significant contribution as regards the originality of the theme proposed, the novelty of the scientific and technical approach and the methodology of execution, also taking into account the particular nature of the proposers.

A favourable technical evaluation of such proposals shall not by itself be a sufficient justification for accepting a project; this exceptional procedure may only apply after verification that the nature of the project, as defined above, does not justify the use of the normal procedure of calls for proposals.

The exceptional procedure shall come into effect after the first call for proposals and must be completed before the ordinary procedure in such a way that the available amount for the Community's financial participation in projects retained by the ordinary procedure can be determined precisely. The closing date for the exceptional procedure shall be published each year in the Official Journal.

When it submits the preliminary draft budget the Commission shall inform the budgetary authority whether the appropriations approved in the budget of the previous year have also financed projects retained by the exceptional procedure and the amounts allocated. Should these projects cover several programmes, it shall state the type of committee which assisted it.

The amount of the financial participation of the Community for all the projects retained by the exceptional procedure will be decided each year, in relation to the projects selected according to particularly strict criteria of excellence. In any case this amount may not exceed 10% of the annual budgetary allocation; it may be revised each year in the light of experience.

The Commission shall draw up a vade mecum setting out all the rules applicable to this exceptional procedure in order to guarantee full transparency.

5. The projects must provide for participation by at least two mutually independent partners established in different Member States, as well as at least one partner established in a developing country.

6. The Commission may encourage the participants to form a European Economic Interest Grouping (EEIG) or to make other arrangements for carrying out projects, such as those on a large scale permitting decentralized management adapted to the specific requirements of the project.
7. Experts in the developing countries, chosen on the basis of a fair geographical division and, with a view to international coordination, representatives of relevant international agencies (WHO, FAO, etc.) may be invited to attend Committee meetings when important aspects of the programme are on the agenda. Representatives of committees dealing with any of the Community programmes linked directly or indirectly to this programme and representatives of the Technical Centre for Agricultural and Rural Cooperation shall be invited to take part in the Committee's work as necessary.
8. The knowledge acquired while developing the projects shall be disseminated on the one hand within the specific programme and on the other hand by means of a centralized activity, pursuant to the Decision referred to in the third subparagraph of Article 4 in Decision 90/221/Euratom,EEC.

This dissemination and exploitation of the knowledge acquired shall be assured under the following conditions: knowledge and inventions, patentable or otherwise, resulting from research or work under contract, the rules governing ownership and the Community's and, where applicable, the contractor's obligations shall be defined in the contracts on a case-by-case basis.

The Commission shall communicate the knowledge and inventions over which it has rights to the Member States and to individuals and undertakings, who are engaged, on the territory of a Member State or a developing country, in research or production that would justify access to this knowledge. With the contractor's agreement, it may also communicate the knowledge to the developing countries, not only those with whom the Community has concluded

association and cooperation agreements and non-associated developing countries that benefit from Community financial and technical aid, but also all developing countries that urgently need the knowledge and are in a position to use it. It shall lay down the conditions for the dissemination of the knowledge to research bodies outside the Community or the developing countries, in close cooperation with the beneficiaries of the results of the research, including the developing countries.

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DOCUMENTS

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