



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Bioeconomy
The Director

Brussels,
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NOTE FOR THE ATTENTION OF WOLFGANG BURTSCHER DEPUTY DIRECTOR-GENERAL, DG RESEARCH AND INNOVATION

Subject: 22nd BBI JU Governing Board meeting of 28 March 2019 – Position of the Commission representatives on the proposed items

The BBI JU organises its 22nd GB meeting on Thursday, 28 March 2019 at the White Atrium in Brussels. The agenda and the list of items to be discussed are attached below. You will find the comments from my Directorate with the proposed position of the Commission on each item.

1. Welcome and introduction by the GB Chairperson

Mr Wolfgang Burtcher, Chairperson of the GB, will make some introductory and welcoming remarks. He will inform the GB members that DG RTD is currently undergoing a reorganisation process. The changes with an impact on the BBI JU are not yet final, but this does not affect the day-to-day operations and supervision of the BBI JU, because the existing services currently in charge are still following up on their duties and shall continue to do so until further notice.

Once the reorganisation process is finalised, the BBI JU and BIC will be formally notified by DG RTD about all the changes relevant to the JU's activities.

2. Anti-trust declaration by the GB Vice-Chairperson

The antitrust declaration is a collective declaration acknowledged by the representatives of BIC in the GB, at the beginning of each meeting, as a measure to raise their awareness and ensure that the positions they express during the meeting do not contravene the provisions of competition law.

Mr [REDACTED] of the GB, will read the anti-trust declaration from BIC.



A3 Anti-trust
Declaration.ppt

3. Agenda of the meeting of 28 March 2019: for adoption

The annotated draft agenda was sent to the GB members on 28 February 2019, after consulting representatives of both the EC and BIC. The agenda was updated on 19 March 2019.

Position of the Commission:

The proposed agenda of the meeting of 28 March 2019 can be adopted.

4. Minutes of the 21st GB meeting: for adoption

The minutes of the 21st GB meeting were sent to the GB members on 28 February 2019. These minutes were drafted by the BBI JU in close collaboration with the EC and BIC. BBI JU has taken on board the relevant EC comments.

Position of the Commission:

The minutes of the 21st GB meeting of 14 December 2018 can be adopted.

5. To do review: for information

Ms [REDACTED], BBI JU [REDACTED], will present the state of play of the ongoing actions arising from previous GB meetings.

Decision no.	Description – actions to be taken	Main actor	Deadline	Status
DECISION 1806-08:	BBI JU to lead a Task Force, to undertake a detailed assessment of the participation of the primary sector in the BBI portfolio, and to identify challenges, best practices and actions to enhance the impact of BBI JU actions on rural development . DG AGRI and DG RTD to participate in the task force	BBI JU – EC- BIC	Undefined	On-going

On 14 September 2018 the task force had its first meeting, the outcome of which was to explore ideas about how to improve the involvement of primary producers within the activities carried out by the BBI JU. The BBI JU and BIC proposed to launch a procurement

study focusing on this particular matter. On 5 October 2018 the taskforce had its second meeting to discuss about the focus of this study. The conclusion reached was that the focus of the study should be on the agricultural primary sector, in line with the mandate given to the taskforce. The third meeting of the task force took place on the 30 of November 2018. The meeting was held in a very positive atmosphere with EC (representatives of RTD and AGRI) and BIC agreeing on the detailed text of the tender's terms of reference. The latter focuses on the agricultural primary sector but also looks into possible lessons to be learnt from business models of the whole bioeconomy sector. The indicative budget for the study is 100.000 € with a duration of 20 weeks, draft final report at week 16, final report week 20.

On 7 December 2018 BBI JU published the ex-ante publicity for this middle value procurement contract, which resulted in 9 tenders submitted for evaluation. The evaluation panel consisted of two members of the EC ([redacted] from DG AGRI and [redacted] from DG RTD) and three of the BBI JU [redacted] and [redacted]). To be noted the total absence of BIC from this process. The proposal that was considered the most economically advantageous by weighting its technical quality against its price, was submitted by [redacted] (a Spanish consultancy organisation).

The final study is expected to be delivered around mid-2019. Progress on this matter will be presented by the BBI JU.

DECISION 1809-03:	Postponement until 2019 the update on the communication policy: BIC and EC should focus on identifying the points of the communication policy that need to be updated since the new SIRA and BE strategy review.	BIC-EC-BBI JU	End 2019	Ongoing
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This action point is ongoing and it will be reported by the end of this year.

DECISION 1809-06	BBI JU to prepare a Synergy Label pilot for call 2018 that will further presented in the GB of March 2019.	BBI JU	GB March 2019	On-going. Update during this meeting (under point no. 13 of the agenda)
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Progress on this matter will be presented under point 13 on the agenda of this meeting.

6. Action Point	BIC to update the GB on their upcoming events in Central and Eastern Europe.	BIC	Undefined	On-going.
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BIC is expected to report on this point.

8. Action Point	BBI JU to develop further examples showcasing the KPI expected outcomes	BBI JU	Undefined	Ongoing
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BBI JU is expected to report on this point.

9. Action Point	BBI JU to develop short video clips with 'real citizens' speaking, with a	BBI JU	2019	Ongoing
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	tentative deadline of Q4 2018			
BBI JU is expected to report on this point.				
10. Action Point	BIC should ensure that those investments done in Europe that would not have happened if it wasn't for the existence of BBI JU are communicated accordingly and systematically	BIC	Undefined	Ongoing
BIC is expected to report on this point.				
12. Action Point	BIC to investigate the possibility of requesting a further analysis from the audit company performing the ICAA report, to establish which investments have been performed in Europe thanks to the existence of the BBI initiative	BIC	Undefined	Ongoing
BIC is expected to report on this point.				
13. Action Point	BBI to complete the analysis on SMEs with the data from Call 2017 and prepare a report for publication. BBI JU will also undertake a study of SME success stories and inform the GB on progress (by end of the year)	BBI JU	End of 2018 – postponed by the GB meeting of March 2019	Ongoing Update during this meeting (under point no. 14 of the agenda)
Progress on this matter will be presented under point 14 on the agenda of this meeting.				
18. Action Point	BBI JU will explore further how to represent the investment done in a specific country thanks to Innovation Actions, regardless of the beneficiary nationality.	BBI JU	Undefined	Ongoing
BBI JU is expected to report on this point.				
19. Action Point	Convene a meeting of the bioeconomy taskforce (contact point ██████████) to discuss which of the CSA topics could be relevant to feed the bioeconomy policy.	BBI JU	Undefined	Concluded
20. Action Point	Some of the proposed CSA topics to be funded with Call 2018 unused budget could be introduced in Call 2019 through the usual amendment of the AWP and budget.	BBI – EC - BIC	Undefined	Concluded

Regarding Action Points 19 and 20 (addressing the CSA topics): At the previous GB meeting, BBI JU proposed to allocate some of the unused budget from Call 2018 to Call 2020 to include several additional CSA topics relevant for the entire biobased sector. In that respect, it was agreed that a meeting between BIC, BBI and the bioeconomy taskforce (RTD. F) should be convened, to ensure that the most appropriate topics are identified and that they will feed appropriately into the bioeconomy policy. On 6 March 2019 a meeting took place and the discussions focused around six areas possibly to be funded in AWP2019 and 2020 (some via CSAs and others via procurement procedures):

- *The potential of country and regional deployment of the biobased economy in MS and AC and recommendations on how to address it* - the conclusion was to propose launching a procurement for a study, budget to be defined in AWP2020
- *Detailed overview of the innovation and impact generated by the finalised BBI JU projects* - the conclusion was to propose launching a procurement for a study at the end of 2019 (procurement to be introduced in the official planning via the amendment to the 2019 AWP and Budget). This could be a pilot study that would develop the methodology for assessing the impact of the BBI JU portfolio and could focus on the finalized projects (all those finished by the time of publication of the tender). BBI JU mentioned that in parallel the methodology of the validation of the KPIs is under development (to be discussed under point 7 of the agenda of this meeting) and as it starts to be implemented, the outputs of that exercise could also further complement this pilot study.
- *Access to finance opportunities for biobased projects in Europe* – the conclusion was that such a CSA topic could be considered for AWP2020 and would require the development of a platform/service to support spin-offs, links to venture capital, etc.
- *Mapping of emerging technologies, (via e.g. a toolbox for small scale biorefineries)* – the conclusion was to introduce a CSA topic on this subject in the AWP2020.
- A topic focusing on *how to promote a preference for biobased products in public procurement* (in a way similar to existing programmes such as BioPreferred in the USA) would be a difficult to develop in the European context, as the EU framework of green public procurement is already in place. In addition, the SC2 project INNPROBIO has already set up a community of public procurement practitioners interested in innovative bio-based products and services
- Finally, as regards *the analysis of the hurdles and regulation bottlenecks faced by running projects for market uptake, including recommendations on how to address them*, the conclusion was that neither a study nor a CSA were necessarily required to address this issue. A well-established approach to ensure systematic feedback from the projects to EC (via BBI JU) on regulatory hurdles and bottlenecks would be more appropriate in order to inform policy development (e.g. a systematic Project Beyond type of exercise).

Detailed feedback on these action points is expected to be presented also by the BBI JU, along the same lines, under this point.

21. Action Point	As agreed BBI JU to adjust the presentation and reflect as financial contribution within the meaning of the BBI JU CR, only the ones coming from BNRF to BRF.	BBI JU	Undefined	Concluded
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In this context, at the last GB meeting, J. Bell and G. Fantechi emphasised that the presentation and taxonomy of some slides (see slides 25 and 27) communicated inaccurately that EUR 20 million of '*financial contributions*' are expected to be attracted by the proposals retained for funding under the call 2018, because these transfers were in fact budget neutral under H2020 rules (they are between BRFs). To that end, BBI JU was requested to correct the slides and, more importantly, to readjust its communication tactic. In March 2019 BBI JU has indeed updated the referred slide. However, it should be underlined that the EC comment goes beyond the correction required in this particular slide; the spirit and idea behind this action point is about always communicating correct information, in a spirit of honesty, professionalism, transparency, loyalty and trust-building among the different partners and actors involved.

Position of the Commission:

The EC members in the GB should underline that, as regards action point no. 21, the EC comment goes beyond the correction required in this particular slide; the spirit and idea behind this action point is about always communicating correct information, in a spirit of honesty, professionalism, transparency, loyalty and trust-building among the different partners and actors involved.

22. Action Point	Convene an extraordinary coordination meeting in January to discuss the on-going projects.	BBI JU	January 2019	Concluded Update during this meeting (under point no. 7 of the agenda)
Progress on this matter will be presented under point 7 on the agenda of this meeting.				
23. Action Point	BBI JU to send for consultation to EC and BIC the written reply that will be provided to Mr Poche.	BBI JU	Undefined	Concluded
BBI JU is expected to report on this point.				

6. Decisions to be adopted as 'point A': for adoption

The following decisions are proposed for adoption:

- Decision amending Governing Board Decision BBI-GB-03/15 on the adoption by analogy of implementing rules of the Staff Regulations for the purpose of the application by analogy of rules on outside activities and assignments and on occupational activities after leaving the Service adopted by Commission Decision C(2018) 4048 of 29 June 2018 (BBI-GB-04/19)
- Decision on the types of post and post titles in Bio-based Industries Joint Undertaking (BBI-GB-05/19)

According to Article 110(2) of the Staff Regulations, implementing rules adopted by the Commission to give effect to the Staff Regulations shall apply by analogy to the Joint Undertakings. Such implementing rules shall enter into force nine months after their entry into force at the Commission or nine months after the date on which the Commission informed the Joint Undertaking of the adoption of the respective implementing rule, whichever is later. Notwithstanding this, a Joint Undertaking may also decide that such implementing rules are to enter into force at an earlier date.

The purpose of Decision BBI-GB-04/19 is to amend a previous GB Decision on outside activities in order to render applicable within BBI JU the new Commission Decision C(2018)4048 of 29 June 2018. Initially, this decision was supposed to be adopted at the previous GB meeting but due to the absence of one BIC GB member, its adoption was postponed.

The purpose of Decision BBI-GB-05/19 is to render applicable to the BBI JU the provisions of Commission Decision C(2013)8979 on types of post and post titles while taking into account the particularities of a small-sized EU Body such as the BBI JU with respect to describing functions and grading Heads of Unit.

The members of the Inter-Service Group including DG HR have been consulted as appropriate and have provided their comments on the proposed decisions. They have been communicated to and accepted by the BBI JU Programme Office and have been duly integrated into a revised version of the documents submitted for adoption.

Position of the Commission:

The above-mentioned decisions BBI-GB-04/19 and BBI-GB-05/19 can be adopted by the GB.

7. BBI JU project portfolio: for information and discussion

Until now, BBI JU has mostly presented statistics on its calls. Therefore, BBI JU has been requested by the EC in December 2018, to give an update to the GB on the **content** of some ongoing or finalised BBI JU project results that could be of particular interest to the GB members. The purpose of this is to enable the GB members to take stock of some selected project results focusing on achievement through the public intervention in this area, and not only to receive information on call and portfolio statistics or foreseen / expected results and impacts.

Under this point, BBI JU is therefore expected to present selected project results, focusing their impact. To that end, the BBI JU will also present a preliminary methodology for the validation of Key Performance Indicators (KPIs) and expected project results. The methodology was developed in close cooperation with RTD.F2 and BIC, and all the input provided has been duly taken on board.

Position of the Commission:

The Commission representatives should highlight the need to reinforce the focus of future GB meetings on content and strategic discussions about challenges and opportunities of the bio-based sector.

8. AAR 2018: for information and decision

In accordance with Article 16 of the BBI Statutes, on 26 February 2019 the Executive Director submitted the draft AAR to the Governing Board for assessment and approval. In the previous years, the GB has appointed a taskforce composed of the Head of Unit of RTD.F2 and the Executive Director of BIC, to assist it in carrying out the assessment.

Point a: This year the Executive Director of the BBI JU has expressed his wish that also a representative of the BBI JU is part of the task force. On 7 February 2019, Philippe Mengal stated *“without contesting that it is the GB the one in charge of performing the AAR assessment, we think that BBI JU involvement in the working group has an added value, as we are the providers of all the data of the AAR and we should be consulted on its interpretation and analysis. In other words, BBI JU wish to be kept in the loop of the assessment of the AAR, to be able to clarify or supplement the interpretation of the data contained in the AAR in order to further support the efficiency of the assessment process.”*

Indeed, according to Article 15 of the GB Rules of Procedure, the GB may choose to structure its work by establishing and mandating working groups in which both the Commission and BBI JU shall be represented. Each working group will elect a lead person by simple majority who will report back to the GB. Article 15 does not specify whether there is a minimum/maximum amount of participants in a group, but it is expected that the interests of the JU members (i.e. BIC and the EC) should be taken into account in a spirit of partnership. In that respect, the request of the BBI JU appears legitimate.

At the same time, it should be made clear that the group cannot replace the GB in exercising the latter’s competences. The BBI JU Statutes clearly state that it is the GB who has to approve the AAR and this task cannot be mandated in its entirety/substance to a working group. Furthermore, the assessment of the AAR is also a competence of the GB, as set out in Art. 20(1), last sub-paragraph, of the BBI JU Financial Rules. In conclusion, a representative of the BBI JU can be invited to make comments on the draft report prepared by the task force, but the decision on the final wording of the assessment of the AAR remains with the GB.

Point b: Since 2016, the [REDACTED] of F.2, [REDACTED], has been drafting the assessment by the GB in close cooperation with the [REDACTED] RTD.F.2 and the Executive Director of BIC. With a view to ensuring business continuity beyond the reorganisation of DG RTD (against the background of the change of [REDACTED] responsible for the BBI JU), it is therefore proposed to appoint the [REDACTED] of the present unit F.2 and new unit C.1, [REDACTED], as the EC member of the task force for assessing the AAR2018.

Position of the Commission:

The EC welcomes the fact that BBI JU has submitted the draft AAR within the legal deadline.

The EC underlines that the task of assessing and approving the AAR is a task to be performed exclusively by the GB. To that end, a working group composed of [REDACTED] and [REDACTED] will be established.

In spirit of partnership, BBI JU could also nominate a representative that can be consulted by the working group, if additional information or clarification is needed.

9. Update on Horizon Europe state of play: for information and decision

a. Debrief from the States Representatives Group (SRG) Chair

On 7 February 2019, an extraordinary SRG meeting was organised by the SRG Chair (Mr Fabio Fava), to discuss the role of SRG members as ambassadors for BBI JU under Horizon Europe (HE). The meeting was held at the BBI JU premises and was attended physically by some SRG members and BBI JU staff members, while other 21 SRG members as well as the [REDACTED] of BIC and [REDACTED] Scientific Committee (SC) attended the meeting remotely.

The objective of the meeting was to ensure that SRG members, in their role as BBI JU ambassadors, had all the necessary information to provide advice and guidelines to their national representatives participating directly or indirectly in the negotiations on HE. The meeting also aimed at facilitating the dialogue between SRG members about their visions on the future of the BBI JU under Horizon Europe as well as on lessons learnt and areas of improvement identified in the current BBI JU.

[REDACTED] the SRG consulted the group in advance of the meeting, via a questionnaire, about the SRG needs and expectations. The outcomes of the survey (overall 20 replies) were used to prepare the agenda and to identify in advance the main areas of support needed to perform their role as BBI JU ambassadors under HE negotiations, as well as on their vision towards the future of the BBI JU under HE.

Whereas at individual level, the majority of MS are overall positive about the programme that was implemented by the BBI JU, some points of concern, which relate mostly to the implementation modality of this partnership, are often raised. These relate to:

- openness and transparency: **DE**: *greater mobilisation of stakeholders beyond those already engaged. At present there is widespread scepticism amongst potential applicants to BBI JU concerning the processes of AWP development, proposal evaluation and grant agreement as a consequence of the current lack of transparency. Many believe the programme to be a largely a 'closed shop' serving the interests of the industry representatives.* **EL**: *It is important for the R&I community, and citizens to be more involved in the operation of BBI JU.* **BE**: *it is difficult for research organizations and SME's to get involved in consortia if not member of BIC.* **ES**: *funding of Large Flagships which are only suitable for a selected club of enterprises. This could be an important barrier for Spanish representatives.*
- the need for a greater role of the Member States in the governance: **DE**: *Programme Committee structure currently applied in SC2 should also apply to the institutionalised partnership.* **ES**: *stronger role of MS in the decision-making process.* **CH**: *MS and AC should be involved in the governance procedure and decision taking. A good involvement of SRG in the governance and decision*

taking should be achieved. **BE:** we would like to see the role of the SRG strengthened. **FR:** it's important that MS continue to be involved in the BBI governance

- lack of involvement/enthusiasm of BIC members: **DK:** BIC members should be active. We do not hear anything from the Danish BIC members. **IR:** for Ireland, the key to is try to raise greater awareness among companies operating in the traditional agri-food, forestry, marine and waste sectors of the BBI opportunity **PL:** business arguments should be provided about how could private stakeholders benefit from BBI JU

According to the minutes of that meeting, BBI JU encouraged SRG members to have an active role as BBI JU ambassadors in the next months, now more than ever, as far as no final decision is taken yet in with regard to the future of the BBI JU under Horizon Europe. As a concrete follow up, one action point agreed was that BBI JU will follow up with BIC if it is possible to provide contact details of BIC members to the SRG. This confirms thus once more the (natural) proactive implication of the BBI JU in maintaining the status quo, **while the commitment of BIC remains less visible when it comes to concrete efforts of mobilisation towards the SRG members** (it should be the BIC members contacting the SRG members, not the other way around). An impact-driven policymaking approach implies that policy decisions are based on proven needs for public intervention but, as regards the BBI JU, this proof is still to be produced by BIC, its members and the overall biobased community.

Under this point, the SRG and SC [REDACTED] are expected to provide a full debrief on the conclusions of this extraordinary meeting, as well as to reiterate their visions for the future partnership under HE.

Position of the Commission:

The EC welcomes the active involvement of the SRG and the SC in the debate concerning a potential future partnership in the bio-based area.

While the EC takes note of the overall positive SRG feedback on the programme implemented by the BBI JU, the EC remains highly interested in the pros and cons of a potential institutionalised European partnership in the bio-based sector, especially from the perspective of openness, transparency and involvement of Members States in its governance. The EC is also keen to understand the SRG's vision concerning the level and form of industry commitment that should be required for a potential institutionalised partnership as opposed to a co-programmed one.

Question for the SRG and SC:

- From your perspective, what is the added value of an institutionalised partnership as compared to a co-programmed partnership or traditional calls for proposals?

b. Presentation, Vision and Mission by BIC

This sub-point has been introduced on the agenda at the request of BIC, which is expected to present its own vision as regards the future of the bio-based sector, as an update on its draft vision of October 2018.

According to the information received from [REDACTED] at the previous GB meeting, BIC had planned to finalise its vision around end of January 2019. **Since then, at own initiative, the EC has proactively met a very small number of relevant stakeholders, but it did not receive any concrete signs of interest from the industry nor BIC.**

During an internal coordination meeting on 22 March 2019, BIC informed BBI JU and the EC that an updated vision was ready and would be shared at the GB meeting. This was presented not as a 'BIC-vision' but rather as the result of a collective exercise led by BIC with a number of organisations such as COPA-Cogeca, CEFIC and Technology Platforms. The next step would be to develop a SIRA 2030.

Since 11 July 2018, BIC was invited by the Commissioners Moedas and Hogan to submit *its vision on the need and purpose of a potential European Partnership elaborating on specific areas to be covered, measurable expected outcomes, deliverables and impacts within specific timeframes. As regards the modalities of implementation, we look forward to learning more about BIC's views on the suitability of the various kinds of partnerships, taking into consideration the framework criteria as included in the Commission's proposal for Horizon Europe.*¹ To date, the EC did not receive any updated vision from BIC.

Speaking points:

- We are currently facing a big credibility problem due to the non-delivery in the current partnership model.
- Moreover, there is a change of scope in the policy framing and entry requirements for institutionalised partnerships. Therefore, in the absence of financial / policy commitments, the EC will now start convening meetings with relevant potential partners, including BIC.
- It is from that perspective that the EC will look at the updated BIC vision, to use it where relevant, as policy input in the process.

Potential questions for BIC concerning its vision (to be used only if relevant):

- What is BIC's vision of its envisaged level and quality of contributions to be committed to a potential future partnership?
- What should the partnership focus on, be in terms of research and innovation needs?
- What is the evidence that supports the sector's need for public intervention via an

¹ Letter from Commissioner Moedas and Commissioner Hogan to [REDACTED], [REDACTED], 11/09/2018

institutionalised partnership?

- How would contributions to administrative costs be collected and paid?
- How would BIC ensure openness and transparency of the programming process?

c. Strategic programming calendar – Impact assessment

Wolfgang Burtscher will shortly present the latest developments in the discussions at the Council and Parliament on the Commission's proposal for Horizon Europe, as well as on potential European Partnerships.

Speaking points:

- On 20 March 2019, the Council and the Parliament reached a provisional partial agreement on the Horizon Europe Framework Programme and converged on the content of the Horizon Europe Specific Programme.
- This agreement, reached at historic speed of less than three months, is a very good and balanced outcome and preserves the key elements of our Commission proposal, such as the structure, the cross-sectoral cluster approach, strategic planning as direction-setting for the work programmes, missions as novelty of the Programme, the EIC as one stop shop for innovation **and the rationalisation of the partnership landscape.**
- It allows us to start with the co-creation and co-design of preparations of the implementation of Horizon Europe together with the other institutions and our stakeholders and civil society.
- **If** agreement with Council and EP on areas for Institutionalised Partnerships can be reached in time before the parliamentary recess due to the elections in May 2019:
 - April 2019: Shadow Strategic Programme Committees meet to review the proposed portfolio of potential partnerships
 - May 2019: Publication of the Inception Impact Assessment of potential institutionalised partnerships. An inception impact assessment aims to inform citizens and stakeholders about the Commission's plans in order to allow them to provide feedback on the intended initiative and to participate effectively in future consultation activities.
 - May/June 2019: Start of the work on the Impact Assessment for potential

partnerships pertinent to Articles 185 and 187

- Finnish presidency: R&I days end of September 2019, with a dedicated part on potential Partnerships
- End of 2019: Submission of the draft impact assessments and proposals for institutionalised partnerships to the Regulatory Scrutiny Board
- Early 2021: Earliest date for launching institutionalised Partnerships
- As communicated by the Commission to all the JU Executive Directors on 12 November 2018, **the role of the Joint Undertakings in the strategic planning process will be to provide possible input (evidence) for the impact assessments – only when necessary and at the request of the EC.**

10. Letter from A. Panagopoulou (Director Common Support Centre Horizon 2020) on access to JU project results and confidential information by Commission staff: for information and endorsement

The JUs' refusal to give full and direct access to the Commission to JU project results, documents and related information (including confidential information) from the projects financed by the JUs has been extensively discussed on previous occasions at GB meetings of the BBI JU. All parties agreed that the Commission's legal right to access results, documents and related information, should be effectively and securely implemented. To that end, at the GB meeting of 21 March 2017 it was agreed that the BBI JU Programme Office and RTD.F2 should put in place *concrete modalities in which BBI JU will provide this information to F2, for policy making purposes*. By the GB meeting of 28 June 2017 a system had been agreed that allowed *sharing projects results of the BBI JU through a dedicated and secured space in CIRCABC*.

Nevertheless, this issue was not specific to BBI JU but rather a matter concerning all JUs. Thanks to a call made by Directorate F raising attention on this matter, Directorate J took the lead in view of ensuring a safe, secure and direct access for the relevant EC services to the results, documents and related information (including confidential information) from the projects financed by their respective JUs.

In that respect, on 20 December 2018, Directorate J sent a note to the Executive Directors of all JUs, proposing the following approach on the issue of access to the JUs project results, documents and related information, including confidential information, for policymaking purposes:

- Commission services dealing with JUs and other Commission services dealing with the evaluation of FP and analysis of FP data and statistics will be granted full access on a "need to know" basis and on the basis of necessity and proportionality.
- Such full access will cover proposals and project results, documents (e.g. Description of Action, Periodic Reports, deliverables, etc.) and related information, including confidential information, and any personal data.

- Project results shall be deemed to refer to any tangible or intangible output of actions generated in the JUs projects.
- In order to provide an additional safeguard to beneficiaries and to allow for an IT trail, if necessary, access will be granted on a need-to-know basis. Access rights will be given in the standard way, through the Appointed Single Points of Contact (SPOCs).

Directorate J considers it opportune to have the above approach validated by the respective Governing Boards and asks the Executive Directors to cooperate in implementing it, in order to provide full and direct access (via corporate IT tools) to projects results and related information, including confidential information.

Position of the Commission:

The Commission representatives should defend the approach described above, which also reduces the burden on the BBI JU.

The Commission considers it opportune to have the above approach validated by the respective Governing Boards and asks the Executive Directors to cooperate in implementing it, in order to provide full and direct access (via corporate IT tools) to projects results and related information, including confidential information.

The same principles of necessity, proportionality and “need-to-know” are already embedded in the system agreed at service level in 2017, between the BBI JU and RTD.F2. The added value of the new approach is the increased security of access, its effectiveness and the reduced administrative burden for the JU (direct access via IT tools by EC).

11. Amendment AWP and Budget 2019: for information

The BBI JU AWP and Budget 2019 have been adopted by the Governing Board at the previous meeting of 14 December 2018. Following that, on 18 February 2019 the BBI JU launched a written procedure to amend the 2019 AWP and Budget, mainly to comply with usual business practices of financial nature, namely the carryover of unused commitment and payment appropriations coming from previous years.

This occasion also allowed adjusting other sections of the AWP.

- The first adjustment consists of **introducing a new public procurement** in section 2.4.2 related to the valorisation of the BBI JU portfolio. The idea of this new procurement came in the context of the discussions around future CSA topics (see the details on the Action Points 19 and 20 presented above).
- The second adjustment consists of **introducing dedicated budget lines per flagship topic** to ensure a wider coverage of all the flagship topics if proposals of an adequate quality (i.e. above threshold) are submitted (no competition between budget lines). It had also been noticed that the budget given for flagships was exceeding the initial planning, so the excess of EUR 10 million was reallocated in equal parts to RIAs and DEMOS.

The members of the Inter-Service Group including DG BUDG, RTD.D2, AGRI and GROW have been consulted as appropriate and have provided their comments on the proposed amendment. Their comments have been of a purely technical nature

At the last minute, RTD.F2 was notified by the JRC that the wording of the topic BBI2019.S04.S3 should be made clearer by changing “*also link up*” into “*seek complementarity*” in the requirement that proposals under that topic “should seek complementarity with the Bioeconomy Knowledge Centre activities operated by the European Commission Joint Research Centre”.

Both BIC and the BBI JU Programme Office have agreed to these modifications, which were duly integrated into the adopted document. The written procedure was finalised on 20 March.

12. Nomination of reporting officers to carry out the 2018 appraisal of the BBI JU Executive Director: for decision

According to Articles 2(1) and 3(1) of the GB Decision BBI-GB-08/17, the ED referred to as ‘the jobholder’ shall be subject to an annual appraisal exercise. The objective is to assess his ability, efficiency and conduct in the service, and whether his performance level has been satisfactory. At least two ‘reporting officers’, should be appointed by the GB from among its members. The [REDACTED] of the Governing Board (currently [REDACTED]) cannot be one of them because according to Article 3(2), he is the appeal assessor who, in case of appeal, makes the final decision on the report of the jobholder after consultation of the Governing Board.

In the previous appraisal exercises, the two reporting officers nominated were Mr John Bell (EC) and Mr [REDACTED] (BIC). On 22 March 2019 the EC informed BIC and the BBI JU that its nominated reporting officer will be Mr John Bell. At the same occasion, BIC informed that due to a reorganisation at its board level, most probably Mr [REDACTED] will not be part of BIC’s Governing Board anymore, so most probably will nominate Mr [REDACTED] (Novozymes). The official nomination will be communicated by BIC at the GB meeting.

Position of the Commission:

The Commission representatives in the GB should vote in favour of adopting the decision nominating the Reporting Officers in charge of the annual appraisal of the Executive Director of the Bio-based Industries Joint Undertaking. The nominated EC Reporting Officer for the 2018 appraisal exercise shall be Mr John Bell.

13. BBI JU Synergy Label pilot: for information and discussion

At the GB meeting of 26 September 2018 the Commission informed that it did not intend to enlarge the scope of its Seal of Excellence beyond mono-beneficiaries, under Horizon 2020. Under Horizon Europe, the Commission may re-evaluate the feasibility of extending the Seal initiative to other type of projects. In this context it was decided that BBI JU should analyse the practices of other JUs to identify potential alternatives and, if

appropriate, to further formulate a proposal to the GB, taking into account that other JUs, for example Clean Sky, have developed their own Seal of Excellence.

Under this point, BBI JU is expected to present the outcomes of this analysis. An approval of the proposed approach could be operated via a written procedure, after the GB meeting.

14. SME analysis: for information

At previous GB meetings, the SME participation in BBI JU calls has been discussed on several occasions. The conclusions made so far by the BBI JU are that among the 932 beneficiaries of the projects funded in Calls 2014-16 and of the projects retained for funding of Call 2017, 350 (38 %) are small and medium-sized enterprises (SMEs). They receive 27 % of the Union contribution, with a rising trend over the years. It should be noted that the figures given in the Horizon Dashboard (as of 12 March 2019) are even higher: 39% of participants and 30% of funding. This is higher than the overall target for funding going to SMEs, which is 20 % for Leadership in Enabling and Industrial Technologies (LEIT) and the Societal Challenges in Horizon 2020.

At the GB meeting of 13 June 2018, the GB took note with great interest of these results and requested that after the grant agreement preparation for Call 2017, BBI JU should complete the analysis on SMEs and prepare a report for publication. It was further decided that this report should also undertake a study of SME success stories.

Under this point, BBI JU is expected to present the outcomes of this analysis.

15. Update on Communication Activities: for information

This point was introduced on the agenda at BBI JU's own initiative. According to the updated AWP 2019, the communication action plan for 2019 entails the following, among others:

- development and implementation of press & media relations;
- development of short promotional videos to tell success stories;
- improvement and management of BBI JU's partnering platform and organisation of a dedicated on-line networking meeting;
- improvement and development of the BBI JU public website;
- organisation of events (including advertising) and sponsorship of awards and marketing activities which build BBI JU's corporate reputation:
 - the 2019 Info Day and brokerage event;
 - 2nd edition of the Stakeholder Forum;

- sponsorship of awards, prizes and events with a strong link to the bio-based sector, bioeconomy and the wider R&I policy: the EUCYS 2019 bioeconomy prize, World Bio Markets 2019, other events of similar scope and focus;
- participation in other events organised by EU institutions.

16. Potential AOB

[Redacted content]

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<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/support/faq/categories=;programme=null;actions=;keyword=Joint%20Undertaking/10926>

b. BBI JU staff issues: point which may be raised by the BBI JU for discussion

In November 2018, the BBI JU sent a workload analysis note to the GB highlighting their needs for an increase of staff in BBI JU for the period 2019-2021. BBI JU is requesting 4 additional posts as compared to the official Staff Establishment Plan (SEP; 23 staff members) : 3 PO FG IV, and 1 financial assistant FG III (the preliminary request was for 4 FG IV), stating this increase would be cost neutral as it would use resources earmarked for recruiting interim agents.

The workload analysis focuses only on the core tasks, i.e. project management. However, BBI JU states therein that more horizontal tasks account for as much as 30% of FTE workload. The workload analysis states that the peak workload per PO will be 14 projects. As a comparison, in terms of grants managed by PO (AD+GF IV grades used), BBI states to be more or less like FCH, and having to handle more than IMI and REA.B2 (in charge of SC2). The comparison however does not compare how many FTE are dedicated to non-core business;

When we compare the current situation BBI JU vs REA.B2, the following can be observed in terms of grants managed by PO (data from H2020 Dashboard): REA.B2 has 10.3 grants per PO; BBI JU has 11.7 grants per PO.

The BBI JU request has been discussed with DG HR and BUDG; Unit RTD.R4 has also been following the matter. The conclusion is that such an increase of SEP **is not cost neutral** (for reasons such as pensions, into which the members other than the Union don't pay), and would imply further offsetting in the EC.

In addition, the Corporate Management Board is about to decide on whether to also apply headcount neutrality. This would entail a 1:1 taxation in the EC (was already applied with the new CNECT JU on High performance computing).

It is to be noted that the EU contribution to the BBI JU has been cut by 140 million EUR in 2020 due to the lack of financial contribution by BIC, entailing a smaller than foreseen last call, thus lowering the expected peak in 2020-21. Note that according to BBI their request of 3+1 additional staff already takes account of the budget cut. The EC has however not cut FTE in BBI JU due to this budgetary cut and this has been questioned in the hearings for DB2020. The EC could difficultly justify a SEP increase vs. the budget cut.

Moreover, DG BUDG/HR commented that maybe BBI JU should reduce the amount of time spent by PO on non-core project management tasks (currently 30% of FTE (for example on portfolio analyses, support to advisory bodies, communication and dissemination)), or re-allocate more staff from other tasks to PO tasks.

It would appear that BBI JU is not the only JU requesting staffing increase. Recruiting interim staff instead of additional CA is not the good solution either, as interim staff should – in theory – neither work on core business nor for long periods.

A harmonised approach is needed at RTD level and the above discussion has also a clear impact on the discussions on future potential HE partnerships and modes of implementation/cost-benefit analysis for efficiency of implementation.

Position of the Commission:

The EC objects the increase of the Staff Establishment Plan, for the following reasons:

- it has been confirmed that the requested increase is not cost neutral;
- the EC Corporate Management Board could decide soon that any such increase should be also headcount neutral;
- the SEP of the BBI JU was built on the assumption that the BBI JU would be implementing the full budget initially foreseen. From that perspective, the EC finds it difficult to justify a SEP increase, considering also that the operational budget cut was not followed by a staff reduction.

c. Consequences of Brexit for Article 187 JUs: point which may be raised for discussion

On 21 March 2019 the EC communicated to the Executive Directors of all RTD-JUs³ a note on the consequences of Brexit for Article 187 JUs. The note distinguishes between a no-deal scenario and ratification of the withdrawal agreement. Together with the Note, the EC also communicated the guidelines to Authorising Officers on budget implementation in case of a no-deal Brexit.

Position of the Commission:

In case of a no-deal scenario, the UK will cease to be a Participating State and entities established in the UK will no longer be members of the Joint Undertakings.

In case of ratification of the withdrawal agreement, the UK (as a Participating State) will no longer participate in the governance of partnerships (subject to exceptions set out in the withdrawal agreement). Entities established in the UK, however, will remain members during the transition period, including their involvement in the governance structures and taking into account their contributions to the initiatives.

17. Next GB meeting: for information

The next meeting is scheduled on 20 June 2019.

Concerning the meeting date of 26 September 2019, the EC (DG RTD) has already communicated to the BBI JU and BIC that, due to its overlap with the R&I days, the date would need to be changed. After further analysis however, the EC considers it more opportune to cancel the GB meeting of September, given that no significant points are expected to be discussed anyway and that ordinary meetings only have to be organised at least twice a year.

³ These are BBI JU, FCH 2 JU, IMI 2 JU and CleanSky 2 JU

BBI JU on the other hand is expected to insist on keeping this GB meeting, due to the need to discuss draft 3 of the AWP 2020. For that purpose only, BIC is expected to propose a video-conference call.

According to the current planning for drafting AWP 2020, the draft 3 is expected to be finalised by BIC by 5 September and subsequently revised by the EC services until 20 September. Therefore, it would be too early to schedule a GB meeting or video-conference before 20 September. The R&I days will then take place, in the week 23-27 September. Considering the preparatory work as well as the SC and SRG meetings that are scheduled for 1 and 2 October, the earliest date on which a video-conference could be scheduled, if needed, is 3 October 2019.

Position of the Commission:

Given the R&I days which overlap with the envisaged GB meeting of 26 September 2019, and taking into account that no significant points are expected to be put on the agenda of that meeting, the EC considers more opportune to cancel the GB meeting of September.

If needed, a video-conference could be organised as of 3 October 2019, to allow the GB members to discuss draft 3 of the AWP 2020.

In conclusion, your agreement is sought on the Commission position expressed in this note in order to allow the Commission Board representatives that are under your lead to take these positions at the 22nd GB meeting of the BBI JU on 26 March 2019.

(e-signed)

John BELL

For approval

Wolfgang Burtscher

c.c.:

c.c.: P. Dröll, [REDACTED], [REDACTED] (DG
RTD), [REDACTED] (DG GROW), [REDACTED] (DG
AGRI)