

Panel 1 – Governance: Towards a legal structure

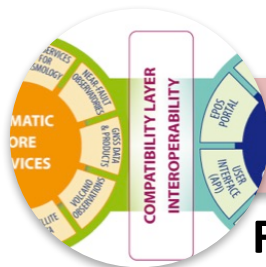
Massimo Cocco

EPOS-ERIC Interim Office

KEY ISSUES

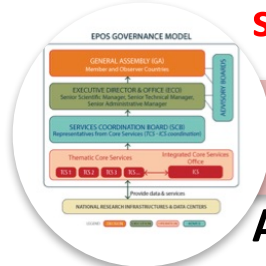
- **Processes to foster the legal establishment of the RI**
- **Engaging the necessary expertise since the design of the RI legal structure**
- **Harmonizing European strategies with national priorities**
- **ERIC is much more than an option**

Sustainability and legal implications



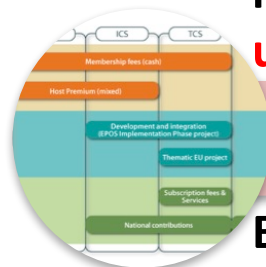
Technical

Find technical tools that facilitate the **access to data and services**: links to legal issues (IPR, Data Policy, Access Rules)



Legal & Governance

Adopt appropriate legal and governance solutions that respect **open access principles** as well as the **transparent use of data** (IPR, Licensing, ...)



Financial

Build a robust financial plan for the legal body (ERIC) that guarantees **financial viability** and foresees **long-term sustainability**

Challenges

- **Transitions from the different phases of the RI lifecycle**
- **Moving from short-term viability to long-term sustainability**
- **Maintain an effective management team involved with the RI design, implementation, construction and operation**

Recommendations

- The legal establishment of RIs requires the **engagement of National Governments** since the beginning of the preparatory phase. National authorities must understand the functional architecture and the achieved sustainability.
- The design of pan-European RIs requires the **harmonization of implementation and operational plans with national strategies and priorities**. Creating a legal structure capable of managing the legal body (ERIC) and operating a delivery framework for distributed RIs is challenging and complex. This is strictly related to the sustainability of the delivery framework.

Recommendations

- Building a legal body for managing a RI requires the involvement of **cross-disciplinary skills** benefitting from past experiences. The issue here is not only to ensure training and education (certainly necessary), rather to manage and **preserve human capital around the infrastructure**.
- The **transition from the implementation to the operational phase** of an ERIC, which includes the construction phase, **is extremely delicate** also from a legal point of view. **The legal structure itself needs a transition phase to full operation**, which has to be managed with care and that requires an effective roadmap and a suitable timeline.