



**European Cooperation  
in the field of Scientific  
and Technical Research  
- COST -**

**Secretariat**

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**Brussels, 19 April 2010**

**COST 4119/10**

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**DRAFT SUMMARY OF CONCLUSIONS**

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Subject : 177th meeting of the COST Committee of Senior Officials (CSO) held in Brussels on 23 - 24 March 2010<sup>1</sup>

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The CSO President opened the meeting by introducing those attending for the first time<sup>2</sup>:

- Dr Arja KALLIO Finland (new CSO member)
- Dr Janet MIFSUD Malta (new CSO member and CNC)

1. Adoption of the agenda

The Committee adopted the agenda as set out in CM 1893/10<sup>3</sup> dated 2 March 2010.

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<sup>1</sup> The DE and FR delegations regretted that the meeting was held without interpretation.

<sup>2</sup> See complete list of participants in Annex I.

<sup>3</sup> Agenda items in Annex II.

2. Approval of Summary of Conclusions of the 176<sup>th</sup> meeting

The Committee approved the Summary of Conclusions of the previous meeting as set out in doc. COST 4101/1/10 REV 1.

3. COST Grant Agreement in FP7: status report

- (a) Grant system for the Actions (*under item 5*)
- (b) Use of contingencies by ESF (*under item 6*)
- (c) COST contribution to ESF's COSMOS system (*under item 6*)

4. Mid Term Evaluation of the COST contract in FP7: Progress report

It was recalled that the financial allocation for COST provided for in the Specific Programme Cooperation of the 7th RTD Framework Programme, was subject to a Mid-term Evaluation (MTE) by a panel of independent experts. Based on the outcome of the MTE a decision will be made on a possible increase of the budget for COST from 210 M€ to up to 250 M€.

The President mentioned that from the COST side the Panel had interviewed the CSO President, the CSO Vice-President, 3 CSO members, 4 COST DC Chairs and the Chair of the TDP-SAB and the Head of the COST Secretariat.

The Committee was informed of the substantial number of documents that had been provided to the Panel as basis for its work, i.a. the Monfret report (2007), Kneucker report (2008), SWOT analysis (2009), COST Impact Assessment (2009) and COST Customer Satisfaction Study (2010). Furthermore, the President had prepared a document as response to the recommendations of the "Monfret report". It was noted that the full report from the ESF to the MTE had not been made available to the CSO following a request by the ESF.

The Commission representative informed the Committee of the timetable of the exercise. Hearings of various stakeholders had taken place by mid-March. The target date for the Panel to deliver its report was 14 May 2010. It was estimated that the report could be available for the CSO the following week, possibly 19 May 2010.

The Committee congratulated the COST Office for the well-balanced progress report on COST achievements for the MTE, submitted to the ESF as a basis for its report to the MTE.

#### 5. Structure and functioning of the COST Office

The COST Office Director gave a presentation<sup>4</sup> on the structure and functioning of the COST Office. Particular attention was given to the situation with the human resources at the COST Office, where notably several key posts were currently not occupied, in particular Head of Science Operations, legal advisor and financial controller. New legal advisor had been recruited as from 3 May 2010, but other posts were still under recruitment process.

The Committee was also informed that

- the migration to the Grant system was advancing well and even ahead of schedule, i.e. to be completed by mid-2011. 60% of the Actions were currently in the Grant system;
- the mandates of Domain Committees (DC) would expire on 1 June 2010 and delegations should nominate members to the DCs by 31 March 2010 at the latest by the on-line tool<sup>5</sup>; and that
- the process towards a new amendment to the grant agreement (as from 2 June 2010) should be launched as soon as possible between the ESF and the Commission, in order to avoid any cashflow problems in the COST operations.

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<sup>4</sup> The presentation is available on the CSO website.

<sup>5</sup> Including representatives to the TDP/SAB, in accordance with the new Guidelines, see doc. COST 4115/10.

The Committee decided to ask the ESF and the European Commission to establish the amendment to the ESF-EC Grant Agreement for COST for the period June 2010 - June 2011 as soon as possible so as to avoid any discontinuity in the funding of COST research activities.

## 6. Report WG Implications

Dr Gorlicki (FR), in his capacity as Co-Chair of the COST-ESF WG Implications<sup>6</sup>, gave an oral report to the Committee, following the WG meeting that had been held on 5 March 2010. Minutes of the meeting would be made available in due course, once they had been mutually agreed between the two parties. Following its mandate the WG had started to examine the implications (financial, human, structural) of the possible transition from the ESF to a new implementing agent, should COST choose this option in the future. The WG had also addressed the question of contingencies that had been built during the FP6 contract<sup>7</sup>. The Committee was informed that further meetings were scheduled for 27 April and 20 May 2010.

During an exchange of views several delegations addressed the concerns regarding the possible gap between the amendments to the Grant agreement in June 2010 and the financial and operational consequences. It was understood that the contractor had not yet prepared the proposal for the next amendment and the question was raised as to what extent this would be due to the possible need to include decommissioning costs to the amendment proposal, in case of a change of the implementing agent. Questions were raised regarding the responsibility of the parties to guarantee smooth and flawless COST operations and also regarding possible consequences, if failing to do so.

In this context the Commission representative recalled the Commission position that the arrangement with the current implementing agent should remain in place until the end of FP7. He raised concerns regarding the consequences of a possible earlier change of the contractor. He noted that should a change occur in 2011, the time remaining before June 2010 to prepare and negotiate an amendment of the Grant Agreement and to amend the relevant Work Programme is likely to be insufficient. It was recalled that the Commission services attended the WG Implications meeting as an observer.

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<sup>6</sup> Established by the CSO at its 176<sup>th</sup> meeting, doc. COST 4101/1/10 REV 1.

<sup>7</sup> See doc. COST 4112/10, p. 3.

In this context the Belgian delegate reiterated the request that the WG should also examine questions related to the VAT issues.

The President thanked Dr Gorlicki for the oral report, stating that the minutes would hopefully soon be available to the Committee. The Committee would be informed of further developments at its next meeting in May.

7. Report WG Networks

Prof. Bartzis (EL), as the Co-Chair of the COST-ESF WG Networks<sup>8</sup>, reported to the Committee on the WG meeting of 9 February 2010 which he considered having been very constructive. The position paper of the COST delegation (“COST for networks, ESF for programmes”) as well as the agreed minutes of the meeting had been made available to CSO delegations. It was noted that the respective position papers by the ESF were not available outside the WG. The next meetings of the WG Networks are scheduled for 9 April and 11 May 2010 in Brussels.

The President thanked Prof. Bartzis for report, noting that the CSO would be informed of further developments at its next meeting in May.

8. COST-ESF relationship<sup>9</sup>  
- COST Office Director

The President recalled the recent exchange of letters in this context<sup>10</sup>. He noted that no response had been given by the ESF regarding the situation of the COST Office Director and the reporting lines between the COST Office and ESF Strasbourg.

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<sup>8</sup> Established by the CSO at its 176<sup>th</sup> meeting, doc. COST4101/1/10 REV 1.

<sup>9</sup> The COST Office representatives were not present during the discussion on item 8.

<sup>10</sup> Annexes III, IV, V and VI.

The CSO unanimously agreed to reiterate its request to the ESF to:

- insist on avoiding any double reporting lines, in agreement with the COST-ESF MoU<sup>11</sup>, in order to have clear responsibilities in achieving the contractual objectives;
- ask the ESF to immediately re-establish the delegation of the COST Office Director until the end of the present assignment until 31 August 2010 under the terms of this agreement, ensuring that all COST Office staff report to him with immediate effect;
- request the ESF to extend the delegation of the current Director until the end of FP7 Grant agreement between the European Commission and ESF; and to
- ask the ESF to give as soon as possible reassurance to the CSO President that, on the above basis, the management and operation of the COST Office, in full compliance with the COST-ESF MoU, has been restored.

The Committee agreed to inform the ESF President, the ESF Chief Executive Officer (CEO) and the members of the ESF Governing Council of this request.

## 9. Legal Status of COST

The President recalled the previous discussions by the Committee on the COST Legal Status and the documentation<sup>12</sup> that had been made available to delegations. The JAF Group had discussed the question and agreed upon a proposal to the CSO set out in doc. COST 4107/10 regarding the establishment of a COST Office Association (COA) and its designation as the COST implementing agent after a transitional period. The President invited delegations to indicate, if they could agree to the proposal. In the absence of consensus, the President proceeded to a vote. At the end of the vote he concluded that 9 delegations<sup>13</sup> out of the total 35 delegations were not in favour of the proposal and therefore the qualified majority (27) had not been reached.

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<sup>11</sup> Doc. COST 262/02.

<sup>12</sup> Doc. COST 4107/10, COST 4106/10, COST 4102/10.

<sup>13</sup> AT, BE, IE, NL, NO, PL, PT, SI and UK.

The President recalled that the "Monfret Report" had suggested two options for COST legal status, either the creation of a legal entity or that the ESF would take over COST. He asked the Committee to state their positions regarding the 2<sup>nd</sup> option, i.e. a possible takeover of COST by the ESF.

The Committee unanimously agreed to reject the solution of ESF taking over COST.

The President circulated a compromise proposal (Annex VII) as a room document. The Committee agreed to return to this agenda item on the 2<sup>nd</sup> meeting day.

*(continuation of discussion on 24 March 2010)*

The Committee discussed the draft compromise proposal by the President. During the discussion some delegations noted that they had no instructions regarding the new proposal and therefore could not state their final position at this meeting. While some delegations were wondering why there was an urgent need to establish a COA, some delegations underlined their belief that such a legal entity would strengthen the COST position in negotiations with the ESF. Some delegations also called for further clarifications on the legal and financial aspects concerned.

In this context the Commission representative, while noting that setting up a legal entity was a separate question from designating it as the implementing agent, outlined the procedure to be followed in the latter step. He recalled that COA, if designated as COST implementing agent, and in case its participation is not guaranteed by Member State(s)/Associated Country(/ies), would need to undergo a financial viability check by the Commission services before any agreement could be concluded. Under the present (FP7) regulations it would most likely be deemed 'financially weak' in which case the legal entity could provide a guarantee equivalent to the above-referred state guarantees. It was at present impossible to foresee what regulation might apply in the next Framework Programme.

The Committee examined the compromise proposal and several amendments to the text were proposed. The Committee decided to launch a written procedure of approval, expiring on 14 April 2010, on the basis of the draft decision (Annex VIII<sup>14</sup>)<sup>15</sup>.

10. Preparation of the COST Ministerial Conference 2010

- Draft Declaration

The Spanish delegate informed the Committee that the COST Ministerial Conference (MC) was scheduled for 14 - 15 June 2010 to be held in Palma de Mallorca. The programme was currently under preparation, pending in particular on the ongoing discussions and future decisions on COST legal status. On a provisional basis, she indicated that the "Future of COST" could be a broad topic for the MC.

11. Appointment of a JAF member

The President recalled that the Committee had appointed Dr Julia KIPPER-ALBERTINI (DE) as a JAF member in June 2008 for a mandate of three years. However, she had later resigned from the CSO and consequently from the JAF Group. The Committee agreed to the President's proposal, as set out in doc. COST 4109/10, to appoint Ms Marion WOLPERS (DE) as a member of the JAF Group for the remaining period of the mandate, i.e. until June 2011.

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<sup>14</sup> The final text for the draft decision, doc. COST 4117/10, also takes account of written amendments proposed by the set deadline on 30 March 2010.

<sup>15</sup> The draft decision was not agreed by the Committee in the written procedure, two delegations having maintained their reservations on the proposal.

## 12. COST Fund

### (a) Statement of revenue and expenditure 2009

The Secretariat presented the Statement of revenue and expenditure for 2009 set out in doc. COST 4104/10.

#### The Committee

- took note of the oral report of the auditors appointed by the CSO, Professor Jaroslav Cihlar (CZ) and Dr Helga Mieling (AT), and
- endorsed the recommendation by the auditors to give discharge to the Secretariat for the financial year 2009 based on the Statement set out in doc. COST 4104/10 and the audit carried out on 28 January 2010.

### (b) Estimates of revenue and expenditure for 2010

The Committee approved the draft estimates of expenditure and revenue for the financial year 2010 set out in doc. COST 4104/10, p.3.

### (c) Designation of auditors for the COST Fund for 2010

The President informed the Committee that the current auditors, the Czech delegate Professor Cihlar and the Austrian delegate, Dr Mieling, would not be available to continue as auditors of the COST Fund in 2010. The President thanked both auditors for having taken the responsibility to carry out this task during several years.

Following the proposal by the JAF Group, set out in doc. COST 4110/10, the Committee appointed Ms Lieve VAN DAELE (BE) and Dr Eva KLAPER (CH) as auditors for the COST Fund for the financial year 2010.

13. Revision of COST Guidelines

The Vice-President, as the Chair of the WG Guidelines (WGG), presented the draft "Revised Guidelines for Assessment, Monitoring, Evaluation and Dissemination of Results of COST Actions" and the draft "COST Guidelines for the organisation of the Annual Progress Conference" that had been prepared by the WGG, examined by the JAF Group at its meeting on 24 - 25 February 2010 and were now proposed to the CSO for approval. He also presented a draft document on "Action assignment methodology per domain" and suggested that the JAF Group could examine the draft at its next meeting on 28 - 29 April 2010.

With one addition<sup>16</sup> to the document as proposed by the Vice-President, the Committee approved the new Guidelines<sup>17</sup> and agreed that they would enter into force as from the next Collection Date on 24 September 2010. Furthermore, the Committee agreed to the Draft COST Guidelines for the organisation of the Annual Progress Conference (APC), set out in a separate document<sup>18</sup>.

The Committee concluded by inviting the Chair of the WGG to present a draft document "COST Code of Conduct" to the next JAF Group for examination. The WGG should also continue examining the question of approval of Actions of strategic importance. The JAF would also examine the draft document on "Action assignment methodology per domain" at its next meeting in April 2010.

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<sup>16</sup> Conflict of interest, adding the sentence: "No CSO member should be in the position to appoint him/herself to another COST Committee."

<sup>17</sup> Final version as set out in doc. COST 4115/10.

<sup>18</sup> Final version as set out in doc. COST 4116/10.

14. COST Strategy for Cooperation with institutions from non-COST countries

(a) Progress Report of the WG

- Ms WARD, the Chair of the WG on COST Strategy for International cooperation, gave a progress report to the Group set out in doc. COST 4113/10. Two priorities for the work had been identified by the WG:
- streamlining procedures for participation of non-COST country institutions through a web-based application process, and
- the general COST policy for full membership in COST.

The Committee agreed to the proposal to ask the COST Office to establish a web-based procedure to process the non-COST institutions applications for participation in COST Actions as set out in doc. COST 4113/10. The procedure will be specified in "Rules and Procedures for implementing COST Actions", doc. COST 270/07, and will be applied once the technical provisions have been implemented.

It was proposed that the WG could also include a chapter in its report on the reciprocal agreements. The WG could also consider how COST could possibly contribute in creating "COST-like" mechanisms outside Europe, i.e. how to "export" the COST model. The President concluded by inviting the WG to give a further status report to a forthcoming CSO meeting.

(b) Request from Argentina for a reciprocal agreement with COST

The Committee agreed to the request from the Ministry of Science, Technology and Innovative Production of Argentina for a reciprocal agreement with COST. The Ministry has designated the National Direction of International Relations as implementing agent for the reciprocal agreement. The dedicated annual budget from both sides would be 30.000€ for 2 years, after which an assessment of the agreement would be presented to the CSO. The Committee asked the COST Office to prepare for an agreement accordingly<sup>19</sup>.

15. Presentation of the COST Domain Committees

The Chairs of the COST Domain Committees<sup>20</sup> had been invited to the meeting for a dedicated session to present the most important success stories of their respective Domains during the past 4 years as well as their views on the most promising and interesting fields for future research activities<sup>21</sup>. They had also been invited to give their views on the future of COST. The unanimous message from the Chairs – which they stressed was backed by the scientific community of their respective domains - was the support for an independent COST.

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<sup>19</sup> In this context it was recalled that defence R&D is out of the scope of COST.

<sup>20</sup> Biomedicine and Molecular Biosciences (BMBS), Chemistry and Molecular Sciences and Technologies (CMST), Earth System Science and Environmental Management (ESSEM), Food and Agriculture (FA), Forests, their Products and Services (FPS), Individuals, Societies, Cultures and Health (ISCH), Information and Communication Technologies (ICT), Materials, Physical and Nanosciences (MPNS), Transport and Urban Development (TUD) and the Transdomain Proposals Standing Assessment Body (TDP-SAB).

<sup>21</sup> The presentations are available on the COST website: <http://www.cost.eu/>

16. CSO Presidency: state of play (item for discussion)<sup>22</sup>

It was recalled that the deadline for submitting candidatures as CSO President was set for 29 March 2010. The Committee was informed of the letters received by the COST Secretariat so far<sup>23</sup>. The election of the President would be held at the CSO meeting in May, with a mandate starting as from 21 June 2010.

It was also recalled that the mandate of the Vice-President would expire in October 2010. It was proposed to extend the mandate until the CSO meeting in December, at which the election could take place. The JAF Group will discuss the question at its meeting on 28 - 29 April 2010.

17. Information from the CSO Presidency

The CSO President informed the Committee that

- the new web address [www.cost.eu](http://www.cost.eu) is now accessible, and that
- Dr Gorlicki would represent CSO at the Training School jointly organised by COST Action IS0801 and their Australian partners on 11 - 16 April in Melbourne, Australia<sup>24</sup>.  
The event is co-funded by the Australian government and COST and it is the first training school in the context of an Action to be held outside Europe.

The CSO Vice-President informed the Committee of his welcome address to the Annual Progress Conference for the BMBS Domain held in Athens on 2 - 5 March 2010.

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<sup>22</sup> This item was chaired by the CSO Vice-President, CSO President not being present during the discussion.

<sup>23</sup> Copies were distributed as room documents and are also available on the CSO website.

<sup>24</sup> The travel expenses of Dr Gorlicki will be covered by the COST Fund.

18. Information from

- Delegations<sup>25</sup>

*None.*

- COST Office

= strategic scientific initiatives

= COST Seminars, COST Office activities and future events

The COST Office informed the Committee of the ongoing initiatives as set out in the notes dated 16 March 2010<sup>26</sup>. The Committee was informed that the JAF Group had approved a new COST Strategic Workshop: "Foresight on Future Demand for Forest-based Products and Services" by written procedure on 15 March 2010.

The COST Office recalled that COST had approved its participation in an ESF Forward Look initiative "Responses to Environmental and Societal Challenges for our Unstable Earth - RESCUE", conditional upon re-labelling the initiative as a joint "Frontiers of Science"<sup>27</sup> and that an equal presence of COST in the organising committee and working groups should be guaranteed. It seems that these conditions have not been met and the COST Office asked the Committee for guidance on this matter. The President asked the COST Office to provide JAF Group all relevant information so that the question could be examined by the JAF at its meeting on 28 - 29 April 2010.

- COST Secretariat

*None.*

- Commission

*None.*

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<sup>25</sup> At the request of the German delegation the presentation of German COST Study carried out by Technopolis in 2009 was postponed to the next CSO meeting.

<sup>26</sup> The notes are available on the CSO website.

<sup>27</sup> In accordance with the Addendum to the MoU between COST and ESF, doc. COST 291/06.

19. JAF decisions on Action-related items

(a) Requests for participation of institutions from non-COST countries

The Committee took note of the decision by the JAF Group, at its meeting on 24 - 25 February 2010, to approve the requests for participation of institutions from non-COST countries as set out in doc. COST 4111/10.

In response to the request by the Commission representative the COST Office agreed to provide statistical information regarding the level of participation of non-COST institutions in COST Actions.

(b) Requests for extension of COST Actions

The Committee took note of the decision by the JAF Group, at its meeting on 24 - 25 February 2010, to approve the following requests for extension of COST Actions with no budget implications:

MP0601 Short Wavelength Laboratory Sources (6 months)

IE0601 Wood Science for Conservation of Cultural Heritage (WoodCultHer) (6 months)

541 Semi-Solid Processing of Steels (6 months)

20. Reports on

- COST Impact Assessment
- Customer Satisfaction Study

The COST Office recalled that the two studies: "COST Impact Assessment" and "COST Customer Satisfaction Study" were contractual obligations and had been submitted to the Mid-term Evaluation Panel. The positive outcome of the studies was briefly summarised.

The President concluded by inviting delegations to examine the studies and to come up with proposals on issues arising from the studies that delegations would like to be discussed in depth by the Committee. The reports would be included in the agenda of the next JAF meeting.

21. Future meetings

The Committee examined the list of future meetings as set out in doc. COST 4108/10. The Committee agreed upon a change to the dates of the next CSO meeting. The meeting is now scheduled for 25 and 26 May 2010 in Riga, Latvia. Furthermore, the Committee agreed to schedule an additional JAF meeting for 21 May 2010 in Brussels, in order to examine the results of the COST mid-term evaluation in preparation of the 178th CSO meeting.

22. Any other business

The Vice-President summarised the discussions at the informal networking session of the COST National Coordinators (CNC) that had been held on 23 March 2010. Many practical questions had been raised, such as how to improve the interaction with the COST Office and to enhance its support to CNCs, or how to exchange best practices between CNCs. The Vice-President noted that there seems to be demand for this kind of informal sessions. He proposed that such sessions could be held in the context of a CSO meeting, e.g. once a year, perhaps in a more structured way, e.g. calling for advance input from the CNCs as basis for discussion.

**List of participants**

<b><u>PRESIDENT</u></b>	:	Mr Francesco FEDI
<b><u>VICE-PRESIDENT</u></b>	:	Mr John BARTZIS
<b><u>AUSTRIA (AT)</u></b>	:	Ms Helga MIELING
<b><u>BELGIUM (BE)</u></b>	:	Ms Lieve VAN DAELE
<b><u>BOSNIA AND HERZEGOVINA (BA)</u></b>	:	-
<b><u>BULGARIA (BG)</u></b>	:	-
<b><u>CROATIA (HR)</u></b>	:	Mr Damir JELICIC
<b><u>CYPRUS (CY)</u></b>	:	Ms Constantina MAKRI
<b><u>CZECH REPUBLIC (CZ)</u></b>	:	Mr Milos CHVOJKA Mr Jaroslav CIHLAR Mr Josef JANDA
<b><u>DENMARK (DK)</u></b>	:	Mr Gorm BRAMSNAES
<b><u>ESTONIA (EE)</u></b>	:	Ms Ulle MUST
<b><u>FINLAND (FI)</u></b>	:	Ms Arja KALLIO Mr Raimo PULKKINEN
<b><u>fYR of MACEDONIA (MK)</u></b>	:	Mr Kiril GRAMATIKOV
<b><u>FRANCE (FR)</u></b>	:	Ms Michèle BARON Mr Michel GORLICKI
<b><u>GERMANY (DE)</u></b>	:	Mr René HAAK Ms Marion WOLPERS
<b><u>GREECE (EL)</u></b>	:	-
<b><u>HUNGARY (HU)</u></b>	:	Ms Orsolya TOTH

<b><u>ICELAND (IS)</u></b>	:	-
<b><u>IRELAND (IE)</u></b>	:	Ms Rita WARD
<b><u>ISRAEL (IL)</u></b>	:	Mr Husam MASSALHA
<b><u>ITALY (IT)</u></b>	:	Ms Maria UCCELLATORE
<b><u>LATVIA (LV)</u></b>	:	Ms Maija BUNDULE
<b><u>LITHUANIA (LT)</u></b>	:	Ms Birute BUKAUSKAITE
<b><u>LUXEMBOURG (LU)</u></b>	:	Mr Carlo DUPREL
<b><u>MALTA (MT)</u></b>	:	Ms Janet MIFSUD
<b><u>NETHERLANDS (NL)</u></b>	:	Ms Yvonne SCHAAP
<b><u>NORWAY (NO)</u></b>	:	Ms Trude DYPVIK
<b><u>POLAND (PL)</u></b>	:	Mr Marek ZDANOWSKI
<b><u>PORTUGAL (PO)</u></b>	:	Ms Fernanda SOUTO-SEPULVEDA
<b><u>ROMANIA (RO)</u></b>	:	Ms Silvia GERGELY
<b><u>SERBIA (RS)</u></b>	:	Ms Biljana STOJANOVIC
<b><u>SLOVAKIA (SK)</u></b>	:	-
<b><u>SLOVENIA (SI)</u></b>	:	Mr Primoz PRISTOVSEK Ms Dagmar SZILAGYI
<b><u>SPAIN (ES)</u></b>	:	Ms Ángeles RODRIGUEZ PEÑA
<b><u>SWEDEN (SE)</u></b>	:	Mr Stefan CAIREN
<b><u>SWITZERLAND (CH)</u></b>	:	Ms Eva KLAPER
<b><u>TURKEY (TR)</u></b>	:	Mr Omer CEBECI
<b><u>UNITED KINGDOM (UK)</u></b>	:	Mr Chris REILLY Mr Steve RINGER

**COMMISSION, DG Research** : Mr Markku WARRAS  
Mr Jan-Arne EILERTSEN  
Ms Marie-Cécile ROUILLON

**COST OFFICE** : Mr Martin GRABERT  
Ms Inge DE PRINS

**COUNCIL SECRETARIAT** : Mr Kimmo PEIPPO  
Ms Ulla MESIÄ  
Ms Laurence VANHULLE

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**Agenda**

1. Adoption of the agenda (*CM 1893/10*)
2. Approval of Summary of Conclusions of the previous meeting

**Information items**

3. COST Grant Agreement in FP7: status report
  - (a) Grant system for the Actions (*under item 5*)
  - (b) Use of contingencies by ESF (*under item 6*)
  - (c) COST contribution to ESF's COSMOS system (*under item 6*)
4. Mid Term Evaluation of the COST contract in FP7: progress report
  - (a) Terms of Reference for the independent Panel
  - (b) Response to the Recommendations of the Monfret Report
  - (c) Report of the COST Office for the Mid Term Evaluation
5. Structure and functioning of the COST Office

**Items for approval**

6. Report WG Implications
7. Report WG Networks
8. COST-ESF relationship
  - COST Office Director
9. Legal Status of COST
10. Preparation of the COST Ministerial Conference 2010
  - Draft Declaration
11. Appointment of a JAF member
12. COST Fund
  - (a) Statement of revenue and expenditure 2009
  - (b) Estimates of revenue and expenditure for 2010
  - (c) Designation of auditors for the COST Fund for 2010
13. Revision of COST Guidelines
14. COST Strategy for Cooperation with institutions from non-COST countries
  - (a) Progress Report of the WG
  - (b) Request from Argentina for a reciprocal agreement with COST
15. Presentation of the COST Domain Committees:
  - Biomedicine and Molecular Biosciences (BMBS)
    - Dr Hans STØDKILDE-JORGENSEN, DC Chair
  - Chemistry and Molecular Sciences and Technologies (CMST)
    - Prof. Dieter SCHINZER, DC Chair
  - Earth System Science and Environmental Management (ESSEM)
    - Prof. Sylvain JOFFRE, DC Chair
  - Food and Agriculture (FA)
    - Dr Jose PUEYO, DC Chair
  - Forests, their Products and Services (FPS)
    - Dr Sjur BAARDSEN, DC Chair
  - Individuals, Societies, Cultures and Health (ISCH)
    - Dr Marc CABALL, DC Chair

Information and Communication Technologies (ICT)

- Prof. Soulla LOUCA, DC Chair

Materials, Physical and Nanosciences (MPNS)

- Prof. Eva OLSSON, DC Chair

Transport and Urban Development (TUD)

- Prof. Cristina PRONELLO, DC Chair

Transdomain Proposals Standing Assessment Body (TDP-SAB)

- Dr Georges WANET, Chair

16. CSO Presidency: state of play (item for discussion)

#### Information items

17. Information from the CSO Presidency

18. Information from

- delegations

= ~~presentation on German COST Study carried out by Technopolis in 2009~~  
(postponed to the next CSO meeting)

- COST Office

= strategic scientific initiatives

= COST Seminars, COST Office activities and future events

- COST Secretariat

- Commission

19. JAF decisions on Action-related items

(a) Requests for participation of institutions from non-COST countries

(b) Requests for extension of COST Actions

20. Reports on

- COST Impact Study for the Mid-term Evaluation in 2010

- Customer Satisfaction Survey

21. Future meetings

22. Any other business

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European **CO**operation in the field  
of **S**cientific and **T**echnical Research

President

To: Professor Ian Halliday – ESF President and Professor Marja Makarow –ESF CEO  
Cc: COST CSO members, members of the Enlarged COST-ESF HLG  
From: Professor Francesco Fedi – COST CSO President

Brussels, 04 December 2009

Dear Professor Halliday and Professor Makarow, dear Ian and Marja,

I wish to inform you about the results of the COST CSO meeting held in Brussels on 1 and 2 December 2009, in line with what agreed during the COST-ESF HLG meeting on 9 November.

The COST CSO:

1. decided that whatever the decision on the COST Office Association could be, a new COST implementing agent will not be appointed before the implications of the transfer from ESF to such new implementing agent are examined by COST, ESF and the European Commission and in any case certainly not before June 2010;
2. agreed to the establishment of a COST-ESF Working Group “Implications” with the task to study by the end of March 2010 the implications of the possible transition from the ESF to a new implementing agent, should COST choose this option in the future;
3. agreed on the following composition of the WG “Implications”: from the COST side 3 representatives of the COST CSO ( Dr Michel Gorlicki - Co-Chair of the WG, Dr Carlo Duprel and another CSO representative); from ESF side : 3 Representatives (one of them Co-Chair) ; Dr Martin Grabert (COST Office) ; Dr Kimmo Peippo (COST Secretariat, observer) ; one representative of the European Commission (observer);
4. recalled and confirmed the proposal repeatedly offered by COST to increase the COST-ESF synergy by increasing the specificities of their instruments - COST for networks and ESF for programmes - with a view to introducing important simplifications for the European scientific community, i.e. to gradually put under COST all networking activities of ESF (where only the support for the networking is provided) leaving under ESF the Research Programmes (where the support for the man power and instrumentation is also provided) ;
5. agreed to the establishment of a COST-ESF Working Group “ Networks” with the task to study by the end of March 2010 the procedures regarding increasing the COST - ESF synergies in the networking and in the Forward looks activities;

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6. agreed on the following composition of the WG "Networks": from the COST side (Prof. John Bartzis Co-Chair of the WG, Dr. Sylvain Joffre, Dr. Dieter Schinzer) from the ESF side (three representatives one of them Co-Chair of the WG), Dr Martin Grabert (COST Office);

7. expressed its concern about the following issues on which reassurances from ESF are expected in due course:

- a) The financial management under the COST II contract. In particular the CSO requests ESF to observe the full transparency and contractual obligations (i.e. the commitment of the full budget) and recalls the understanding that the contingencies built under FP6 could be used to bridge shortfalls in the Actions budgets since the full amount will be paid following the acceptance of the final report for the actual amendment period.
- b) The swift migration of Actions to the new COST Grant System after the delays this scheme has encountered.
- c) In the light of a possible transition from the ESF to a new implementing agent (pending the results of the « Implications » Working Group), should COST choose this option in the future, the introduction of a separable accounting system for the COST II budget already under the actual contract is desirable to ensure the full visibility and transparency of the items charged to the COST II contract.
- d) The human resources management under the COST II contract, with particular attention to the relevant recruitment procedures to maintain the positions of the Head of Science Operations, the financial controller, the legal adviser should be launched without any delay. In order to facilitate these and future recruitments a sufficient authority on recruitments within the given budget and staffing plan as defined in the COST II contract should be delegated to the COST Office.
- e) The CSO insists on avoiding any double reporting lines, in agreement with the COST-ESF MoU, in order to have clear responsibilities in achieving the contractual objectives.
- f) Concerning the efficient IT management, the CSO recalls its decision ( 173rd CSO meeting, March 2009) to run the COST web site with the address [www.cost.eu](http://www.cost.eu) as soon as possible. All IT solutions that are required to accomplish the COST mission should be under the control of the COST Office, in line with the spirit of the COST-ESF MoU. The CSO also articulated a reservation concerning the contribution of 40% to the COSMOS budget with respect to the need of this tool for the purposes of the COST mission and the perspective for such a system in the long run for ESF.

With my best regards,

Yours sincerely

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**Professor Francesco Fedi**  
President of COST  
Via Paolo Bentivoglio 29 B  
00165 ROMA  
Italy

22 December 2009

Dear Professor Fedi,

Thank you for your letter dated 4 December 2009 regarding the outcome of the COST CSO meeting held in Brussels on 1 – 2 December 2009.

We would like to state clearly that it seems that CSO and ESF agree that the current model of cooperation is not ideal. In that regard, we would like to recall the conclusions of the Final Review of COST in the 6<sup>th</sup> Framework Programme (the Monfret report) which states that “a clear choice should be made to determine the final responsibility for the governance of COST, including both managerial and strategic aspects”. In fact, we consider that ESF and COST are now at the point where we should investigate in detail the two options developed in the conclusions of the Monfret report:

- a. Full integration into ESF, exploiting full synergies between the instruments and complete streamlining of the governance;
- b. Separation, with a new legal entity taking over the responsibility for COST as a fully self-standing activity in the ERA without synergy with ESF.

Our proposal is therefore that the two Working Groups defined below will examine both options, and that we set the timeframe for implementation in both cases to be 2011.

Having said this, we will now address the issues raised by you, in the same order as in your letter.

1. We take note of the statement in your letter, complemented by your clarifying email of 8 December 2009, that “the date of a potential separation is not before June 2011”. We are in agreement that any earlier date would seriously jeopardize the proper management and operations of COST. In case the decision is taken to entrust the management of the COST activities to another implementing agent, it may even take several months beyond June 2011, before the contract can be terminated and the transfer can be completed in a responsible manner. We propose that these issues should be discussed by the Working Group ‘Implications’ referred to in the next point. At the same time it needs to be stressed that neither CSO nor ESF can take decisions in this matter without the agreement of the European Commission.
2. At the meeting of the Enlarged COST-ESF High Level Group (HLG) of 9 November 2009, the ESF delegation already agreed to the setting up a working group ‘Implications’ with a mandate as proposed in your letter. In view of the above, we would like to propose that the activities of this Working Group be initiated as soon as possible, taking into consideration the dates of the meetings of the ESF Governing Council in Spring and Autumn 2010, and the timetable of the Mid-Term Evaluation of COST carried out by the European Commission.

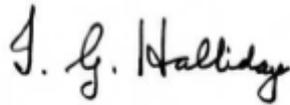
3. Regarding this point, we refer to a separate letter which will be sent to you on the composition of the Working Group 'Implications'.

4. We welcome your full support for the concept of increasing the COST-ESF synergies in the area of networking activities. We confirm that ESF is ready to further investigate this (by means of the Working Group 'Networks' mentioned in the next point) along the lines indicated by the ESF delegation at the meeting of the Enlarged COST-ESF HLG of 9 November 2009, which seem to be well aligned with the ideas proposed in your letter. We point out that the concept of increasing synergies implies a further and closer interaction between COST and ESF, along the lines of the recommendations of the Monfret report.

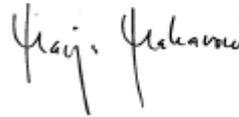
5/6. In line with what we say under points 3 and 4, we note that the composition of the Working Group 'Networks' has been defined in a separate message to you dated 15 December 2009.

7. We are surprised that the CSO is expressing itself on issues of a managerial nature. We would like to point out that the contract between the European Commission and ESF stipulates that ESF is responsible for the scientific, technical and administrative management of COST. We can assure you that in these matters we observe full transparency and respect our contractual obligations towards the European Commission.

Yours sincerely,



Professor Ian Halliday  
ESF President



Professor Marja Makarow  
ESF Chief Executive

cc: Members of the COST CSO  
Members of the Enlarged COST-ESF High Level Group



European COoperation in the field  
of Scientific and Technical Research

President

To : COST CSO delegations  
From: COST CSO President  
Re: COST Legal Status and Governance

Roma, 26 February 2010

Dear Colleagues,

During the latest JAF meeting held in Luxembourg on 24/25 February 2010 I have been asked to summarize the situation of COST legal status and governance and to draw your attention to some of the most important issues at stake.

You may recall that the result of the meeting of the COST Committee of Senior Officials (CSO) on 1-2 December 2009 was that 26 COST Member States were in favour of the establishment of the COST Office Association as an international non-profit making association (AISBL, *association internationale sans but lucratif*) under the Belgian law.

COST then received the letter by the ESF management dated 22 December 2009 explaining that they did not want to continue to be the COST implementing agent after June 2011 and that one of the two solution recommended by the Monfret Report should be chosen: "either COST creates an independent legal entity or ESF takes over the full operation of COST including the strategy formulation and the linkages with Member States".

The COST CSO President's letter of 7 January 2010 drew the attention of the COST delegations to the content of the ESF letter. Subsequently, the document COST 4102/10 dated 29 January 2010 entitled "Future Governance of COST" invited the 26 Member States to confirm their position and the remaining 9 Member States to express their position considering that after 2011 "Status Quo" would not be a viable solution anymore.

As a response to that document, the 26 COST Member States confirmed by 1 February 2010 their support for the COST Office Association, while no change in the position of the remaining 9 Member States was indicated. As a consequence, the COST Office Association did not obtain yet the additional support which could have allowed reaching a qualified majority of 27 COST Member States.

In the meantime, alarming messages were received from various scientific communities suggesting that the quality of support given to COST Actions and the working conditions of the COST Office had significantly deteriorated during the last months and even weeks. This seems to put at risk the good track-record of COST, and confirmed the negative consequences of the developments recently reported to the CSO by the Director of the COST Office.

Prof. Dr. Ing. Francesco Fedi  
President

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## European COoperation in the field of Scientific and Technical Research

### President

I wish to stress to the COST CSO delegations that the situation suggests that a firm decision on the COST legal status, one way or the other, is called for without delay, and to express my deep concern that should COST fail to act now, it could lose its capacity to act at a later date even if it wanted to. It is of utmost importance that a clear vision is established already with a view to the next amendment (June 2010 – June 2011) to the COST contract between the ESF and European Commission, by the end of March 2010 at the latest.

In this respect, the letter of 22 December 2009 by the ESF is indeed of a very substantive nature, although I also acknowledge that it is not for the ESF or any other organisation - including the European Commission - to decide for COST on its legal status and governance. The political decision on the COST legal status is for the COST Member States, and them alone, to take. But we cannot deny the right of ESF to decide – as they in fact did - to cease to be the implementing agent for COST after 2011.

Moreover, I read the ESF letter - as well as the original “Monfret recommendations” - in a somewhat broader sense. That is, that *COST Member States should indeed decide as soon as possible as to whether COST should remain a distinct pan-European mechanism at the disposal and control of the COST Member States, or whether this is not necessary or desirable any more.*

On this issue I cannot avoid recalling the long-standing and firm position in favour of the first scenario shared by a total of 26 delegations demonstrating their opinion that no other relevant option other than the “COST Office Association” under Belgian law is available to implement this. I understand that this firm support for the COST Office Association of the majority of 75% of COST countries is based on the assumption that COST should not attempt to stick to the “status quo” beyond 2011, or engage in a search for further solutions, and should not delay its decisions to establish the COST Office Association, for the reasons outlined below:

- Notwithstanding the Memorandum of Understanding between COST and ESF now still in force, COST cannot envisage imposing on the ESF the role of COST Implementing Agent after 2011 against their will. Even if COST wanted to do so, it would certainly not be in a position to insist on any of its views as to the management of the COST activities by the ESF, so frequently discussed by the CSO.
- As far as further solutions are concerned, the extensive analysis of Professor Kneucker in 2008, as recently recalled in the note by the COST Secretariat “Alternative options for future legal status of COST” dated 12 February 2010 (doc. COST 4106/10), indicates that it is not realistic to assume that COST might have failed to identify another valid option.

Some of the 9 delegations not in favour of the rapid establishment of the COST Office Association expressed their view that it would be preferable to delay any decision until the conclusion of the

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COST Mid-term Evaluation or of the Working Group "Implications". Here, I wish to put forward the following considerations:

- Of course, the CSO endeavours to follow evidence-based decision making whenever possible, and is looking forward, in particular, to the findings of the independent Panel for the Mid-term Evaluation of COST as to the functioning of COST activities. However, it is understood that this evaluation is not intended to, and could not, contribute towards the COST countries' "political" decision - and here the word "political" should be underlined - on the fundamental question set out above, i.e. *whether COST should remain a distinct pan-European mechanism at the disposal and control of the COST Member States, or whether this is not necessary or desirable any more.*
- As to the "Implications" of passing from ESF to the COST Office Association as implementing agent, the CSO has been already informed that substantial savings could be obtained which could be attributed to the COST science activities. Moreover, in the longer term strategic context, the "implications" identified, without trying to unduly underestimate them, are merely of practical nature and could be solved with the good will of the interested parties. It should be recalled here that the ESF Report to the European Commission for the COST Mid Term Evaluation concluded that "Should the Ministers decide to establish an independent COST, ESF will support this development by handing over to COST all the implementation tasks in a constructive and efficient way". This constructive ESF attitude goes along with the positive attitude always stressed by the COST CSO that, irrespective of the future legal status of COST, cooperation and synergies with the ESF should continue at a scientific level.

Finally, the CSO has been informed of the view of the JAF Group that a decision by March 2010 at the latest is required to prepare for the appropriate transition in the period 2 June 2010 to 1 June 2011. The precondition of uninterrupted COST operations can only be met if there is enough time for processing the agreed amendment by both contracting parties, the European Commission and the ESF.

The above considerations led the JAF Group to prepare a COST document on « Future Governance of COST » to recommend to the CSO that a COST Office Association should be set up as soon as possible, preferably by the end of April 2010, to avoid the imminent risk of discontinuity of COST activities.

I sincerely hope that the COST Member States could be able to make the best decision which - preserving the long tradition of COST - could serve in the best way the interests of the COST Member States, of the European scientific community and, in general, of the European Research Area.

With my best regards,

Prof. Dr. Ing. Francesco Fedi  
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Professor Marja Makarow, Chief Executive

President of CSO  
Vice President of CSO  
Members of CSO

MM/VSH

15 March 2010

Dear President, Vice-President and Members of the COST CSO,

It has been brought to my attention that a misinterpretation of the ESF position on the future relationship of ESF and COST has been transmitted to you. I am convinced you agree that it is instrumental for you to base your positions on crucial and correct information. Thus, I wish hereby to clarify once more the ESF position.

The original position of ESF, clearly expressed to the COST CSO, has been that **ESF remains implementing agent for COST over the whole duration of FP7 and beyond.**

The COST President, in his letter of 4 December 2009, informed us that the CSO commits to retain ESF as implementing agent for COST only until June 2011. A clarifying email from the COST President stated on 8 December 2009 that **the date of a potential separation is not before June 2011.**

ESF informed the COST President on 22 December 2009 that because CSO wishes COST to become independent already in 2011, ESF has no other choice but to **conform to the CSO's majority wish to separate ESF and COST in the middle of FP7**, which then should occur in June 2011. Thus, should the EC-ESF contract on COST be discontinued in the middle of FP7, the full responsibility of this lies with the CSO.

The **evolution of ESF's position** is summarised in the Report for the Mid-Term Evaluation of the COST FP7 Agreement, submitted to the EC in January 2010 (relevant excerpts attached). There we express our constructive ambition, in case of separation, to effectively assist COST to take over the implementation tasks for which ESF has been responsible.

The crucial requirement for the success of an eventual independent COST is that the decision by the Ministerial COST Conference is evidence-based and takes into account the results of the COST-ESF Working Group on implications of separation due in April, and the results of the FP7 Mid-Term Evaluation of COST due in May.

I wish to express my regrets for the misunderstandings, which could have been avoided should the CSO have agreed to my repeated requests to participate in your meetings in the ESF-COST discussions.

Yours sincerely,

Marja Makarow

Encl.

**CONSIDERATIONS ACCOMPANYING THE COMPROMISE PROPOSAL  
BY THE CSO PRESIDENT**

1. Of the two recommendations of the Monfret Report related to the COST Governance (either COST creates an independent legal entity or ESF takes over COST) the COST CSO unanimously rejected the solution of ESF taking over. Consequently only the solution of creating an independent legal entity for COST is left.
2. The COST delegation in the COST-ESF High Level Group reported to the CSO during the 174<sup>th</sup> CSO meeting (Doc. COST 253/09) that after FP7 the Status Quo was not a viable solution anymore since the ESF does not accept to be the implementing agent of COST under the same conditions but wants to take full responsibility of the scientific activities of COST.
3. The WG “Implications” examines the implications of passing from one implementing agent (ESF) to another (COA) and in the proposal this will happen only at the end of FP7.
4. The establishment of COA as soon as possible will ensure a strong position of COST in the negotiations with ESF (presently the COST-ESF MoU is simply a gentlemen's agreement).
5. The proposal of establishing a COA respects the wish of 26 COST Member States ( 75% of the COST Member States)
6. The proposal allows a long period of about three years before the COA would act as COST implementing agent and ensures the continuity in the Directorate of the COST Office in Brussels
7. The proposal of keeping the ESF as implementing agent until the end of FP7 goes in the direction of the wish of the European Commission and avoids the possibility that COST could be unduly held responsible for a termination of the ESF-EC contract before the end of FP7.
8. The proposal solves the present block of the COST decisions, gives credibility to the COST Governance and increases the chances of a positive evaluation of the Panel for the Mid Term Evaluation of COST in FP7 in view of the additional sum of 40M€.

## COMPROMISE PROPOSAL BY THE CSO PRESIDENT

### The COST CSO taking account of:

- the letter of the ESF President and the ESF CEO dated 22 December 2009
- the recommendation of the JAF Group (COST doc. 4107/10)
- the letter of the ESF CEO dated 15 March 2010

### decided:

- to establish an independent legal entity in the form of an international non-profit making Association under Belgian law ("AISBL", *association internationale sans but lucratif*) denominated "COST Office Association" (COA) calling on all interested COST member states to arrange for the setting up of this COA as soon as possible
- to ask the COST CSO President to convene and chair the first meeting of the General Assembly of the COA by the end of May 2010 at the latest and to authorise him to use up to EUR 20 000 from the COST Fund to that effect
- to confirm the ESF as COST implementing agent until the end of a transition period which could last until the end of FP7 under the following conditions: to adhere to the COST-ESF MoU (COST doc. 262/02 ) and its Addendum( COST doc. 291/06); to ensure the continuity of the Directorate of the COST Office in Brussels by prolonging the appointment of its present Director under the terms of his original assignment agreement until the end of the transition period
- to designate the COA as COST Implementing Agent to fully assume this task at the end of the transition period
- to call on the ESF and the European Commission to ensure a smooth transition from the ESF to COA
- to ask the ESF and the European Commission to establish the amendment to the ESF-EC Grant Agreement for COST for the period June 2010 - June 2011 as soon as possible so as to avoid any discontinuity in the funding of COST research activities
- to ask the COST Secretariat to forward this decision to the ESF President, the ESF CEO and to the members of the ESF Governing Council asking for an urgent reply as a result the meeting of the ESF Governing Council on 23 April 2010.

**DRAFT CSO DECISION**

**"The COST CSO taking account of:**

- the letter of the ESF President and the ESF CEO dated 22 December 2009
- the recommendation of the JAF Group (doc. COST 4107/10)
- the letter of the ESF CEO dated 15 March 2010

**agreed:**

- to confirm the ESF as COST implementing agent until the end of FP7;
- to ask the ESF and the European Commission to establish the amendment to the ESF-EC Grant Agreement for COST for the period June 2010 - June 2011 as soon as possible so as to avoid any discontinuity in the funding of COST research activities;
- to note the possible decision of interested COST Member States to establish an independent legal entity in the form of an international non-profit making Association under Belgian law ("AISBL", *association internationale sans but lucratif*) denominated "COST Office Association" (COA);
- to ask the COST Secretariat to forward this declaration to the European Commission, the ESF President, the ESF CEO and to the members of the ESF Governing Council asking for an urgent reply."

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